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3 IN RE:

4 UPPER MERION TOWNSHIP PUBLIC MEETING
5 TO ANNOUNCE THE ENVIRONMENTAL PROTECTION AGENCY'S
6 PROPOSED REMEDIAL ACTION PLAN FOR
7 CRATER RESOURCES SUPERFUND SITE
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11 PUBLIC HEARING TO ANNOUNCE THE
12 ENVIRONMENTAL PROTECTION AGENCY'S PROPOSED
13 REMEDIAL ACTION PLAN FOR THE CRATER
14 RESOURCES SUPERFUND SITE OF THE
15 ENVIRONMENTAL PROTECTION AGENCY, taken
16 before James O. Moyer, III, Court Reporter
17 and Notary Public, at Upper Merion
18 Township Building, 175 West Valley Forge
19 Road, King of Prussia, Pennsylvania, on
20 Tuesday, June 27, 2000, commencing at
21 approximately 7:04 p.m.

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24 KARASCH & ASSOCIATES
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3 APPEARANCES:
4

5 PERSONNEL PRESENT FROM THE ENVIRONMENTAL PROTECTION
6 AGENCY:

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8 WILLIAM HUDSON, COMMUNITY INVOLVEMENT
COORDINATOR

9 BRUCE RUNDELL, HYDROLOGIST

10 ANTHONY DAPPOLONE, SECTION CHIEF

11 JENNIFER HUBBARD, TOXICOLOGIST

12 JOSEPH McDOWELL, PROJECT MANAGER

13 PERSONNEL PRESENT FROM UNIVERSE TECHNOLOGIES, INC.
14

15 GENEVIEVE WHITE

16 PATRICK HIME
17
18
19
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OPENING REMARKS

MR. HUDSON: I want to thank everybody for coming tonight. I'm Bill Hudson; I'm the community involvement coordinator, EPA Region 3, Philadelphia.

And the reason we're having this meeting tonight is that the Crater Resources superfund site has come to the point and the mediation is over and we need to have a proposed plan. And that is, the plan is to clean up the site.

Many of you, if you're residents in this area, may have received the fact sheet we sent out. It gave you a good overall explanation of what's going to be discussed tonight. Andrea Lord is the remedial project manager for the site. She'll be going over, in the beginning of this meeting, explaining to you some of the in's and out's and the possible solutions or remedies at the site.

I'd like to introduce to you some of the EPA folks who are with us tonight. We have Tony Dappolone, who is the section chief for Eastern Pennsylvania, the

1 remedial section. There's Bruce Rundell,
2 who is here also. He's the hydrologist.
3 Jennifer Hubbard, who is a toxicologist,
4 who will help you understand or answer
5 questions about the site. And Joseph
6 McDowell is here. He is the project
7 manager.

8 We would like to limit this meeting to
9 9 o'clock tonight. That's what we've
10 scheduled for. We may not go that far,
11 but if we do, we'd like to try to stop at
12 9 o'clock. And if it's necessary, we'll
13 meet with you individually afterwards.

14 In addition, Andrea would like to make
15 a presentation to begin with. If
16 possible, we'd like you to refrain from
17 asking questions at the beginning. And
18 after the initial presentation, Andrea
19 will ask for questions.

20 We have a stenographer tonight. When
21 you're speaking and you have something to
22 say, it would be very helpful if you could
23 identify yourself, and, you know, that'll
24 give the stenographer an opportunity to
25 see where you are before you begin to

1 speak so that he can make it a part of the
2 record, because we are making an official
3 record of this meeting tonight.

4 Okay. We're ready.

5 PRESENTATION OF PROPOSED PLAN

6 MS. LORD: Okay. One second. I need
7 to set up something. Can you put the --
8 (laughter). I just saw it. Yeah.

9 As Bill said, we're here to discuss
10 the proposed plan that was released for
11 the Crater Resources site. The site is
12 located in Upper Merion Township. The
13 outline is this black line here
14 (indicating). The Schuylkill River is
15 about a mile to the east (indicating).
16 This is the Pennsylvania Turnpike, and
17 this is the Schuylkill Expressway
18 (indicating), to give you an idea of where
19 it's located.

20 I'll start with some quick background
21 on the site. The Alan Wood Steel Company
22 had a coke and coke byproduct facility
23 down on the Schuylkill River. From 1918
24 through 1981, that plant sent its coke and
25 coke byproducts waste ammonia liquor to

1 the site. Actually, it stopped in 1980.
2 They sent it to the site via a pipeline
3 that ran directly from the Alan Wood Steel
4 plant into the quarries, which I'll show
5 you in a second, and which are also on
6 this map (indicating). It's important to
7 remember that this map is not to scale.

8 We have four quarries that we
9 identified on the site. They're actually
10 former quarries. They used to be mined
11 for sand and gravel. This is Quarry 1,
12 Quarry 2, Quarry 3, and Quarry 4
13 (indicating). The waste ammonia liquor
14 that was piped from the Alan Wood Steel
15 plant to the quarries contained mostly
16 light oils, tars, phenolic compounds,
17 naphthalene, and ammonia. Most of the
18 time, they piped the liquid into Quarry 3,
19 which this quarry (indicating). But
20 sometime Quarry 3 needed to be bypassed,
21 and they piped it to Quarry 1 or Quarry
22 2. Quarry 4 is in this area of the site
23 (indicating), and as far as we know, it
24 didn't receive waste directly from the
25 pipeline, but may have received wastes

1 from when Quarry 3 overflowed or when the
2 pipeline broke. And here's another map.
3 It's a little more detailed of where the
4 quarries are. The quarries are outlined
5 in red. It might be hard to see in the
6 back. Here's Quarry 1; here's Quarry 2,
7 Quarry 3, and Quarry 4 (indicating). The
8 pipeline that ran from the Alan Wood Steel
9 plant is in purple. This is Crooked Lane
10 (indicating), I think, and this is
11 Renaissance Boulevard (indicating).

12 EPA originally started investigating
13 the site because they needed -- there was
14 a -- contamination found in a well that
15 supplied Upper Merion Reservoir; so, EPA
16 came out; they started looking at the
17 site; and they found that there was
18 contamination in the quarries, in the
19 bottom of the quarries; so, they put the
20 site on the National Priorities List in
21 October of 1992. The National Priorities
22 List is a list of superfund sites across
23 the country. Since that time, three
24 potentially responsible parties came
25 forward. They are Beazer East

1 Incorporated, Keystone Coke, and Vesper
2 Corporation. And they signed a consent
3 order in September 1994 with EPA to
4 conduct and pay for our remedial
5 investigation and feasibility study with
6 EPA's oversight.

7 They began doing the sampling of the
8 soils and the groundwater and the sediment
9 in the quarries and the groundwater
10 beneath the quarries in 1994. They
11 completed that work in January 1999. And
12 in June 1999, EPA approved the remedial
13 investigation report. After the remedial
14 investigation, they moved on to the
15 feasibility study. The purpose of the
16 feasibility study is to identified
17 alternatives that could be used to clean
18 up the contamination at the site. That
19 report was completed in June of 2000.

20 Now, I'm going to go over the main
21 focus areas that we identified in the
22 remedial investigation and feasibility
23 study. The first is Quarry 1, which is
24 this quarry right here (indicating). It's
25 about two acres in area, probably had

1 depths up to 24 feet. As I said before,
2 it received waste ammonia liquor directly
3 from the pipeline that ran from the Alan
4 Wood Steel plant to the site, but it only
5 received the waste when Quarry 3 needed to
6 be bypassed. In 1960s, Quarry 1 was
7 filled in and now it's completely covered
8 up and has soil on top and trees growing
9 out of it. When we did the remedial
10 investigation, we found contaminants in
11 the surface soils and the subsurface
12 soils.

13 This is Quarry 2 (indicating). It
14 was -- it's about almost an acre, with
15 depths up to 23 feet. It also received
16 waste ammonia liquor directly from the
17 plant when Quarry 3 needed to be
18 bypassed. It was also filled in during
19 the 1960s. And we found contamination in
20 the surface and subsurface soils.

21 Quarry 3 is the only quarry that
22 remains open. This area here
23 (indicating). It's about eight acres. It
24 has depths up to 65 feet. The waste
25 ammonia liquor was discharged directly

1 into the quarry from the -- from the Alar
2 Wood Steel plant, and it received the
3 majority of the waste. There are three
4 ponds in the quarry. We call them Ponds
5 1, 2, and 3 (indicating). And we found
6 contamination in the pond water and
7 sediments in the ponds, and we also found
8 contamination in the surface and
9 subsurface soils in the quarry.

10 Quarry 4 is located here
11 (indicating). We don't think that the
12 pipeline ran directly into Quarry 4, but
13 we have found site-related contamination
14 in the quarry. It has also been filled
15 in. The contaminants are in the surface
16 and subsurface soils. And right now,
17 there is a portion of a building and a
18 parking lot on parts of Quarry 4.

19 We also looked at the groundwater
20 beneath the site. The groundwater is
21 defined as the water that -- that is
22 beneath the ground. We found that the
23 groundwater pretty much flows from the
24 east/north -- to the east/northeast, which
25 is in this direction (indicating), with

1 the Schuylkill River being over here where
2 I'm standing (indicating). It contains
3 SVOCs, which are semi-volatile organic
4 compounds; VOCs, which are volatile
5 organic compounds; cyanide; and metal
6 contamination, which are all related to
7 the site and the waste ammonia liquor that
8 was disposed there. We also identified a
9 ground water plume, which is kind of the
10 area of the groundwater that has the
11 contamination in it. And that extends
12 towards the northeast and reaches to
13 Renaissance Boulevard. Here is an example
14 of the plum for one of the contaminants
15 (indicating) that's out there, which is
16 benzene (indicating). Let's see if I can
17 do that.

18 This is Renaissance Boulevard. It
19 runs like this (indicating). The red
20 areas are the areas of the highest
21 concentration of benzene. And they're
22 directly below Quarries 1, Quarry 2, and
23 Quarry 3. The green area has the second
24 highest concentration; blue, third;
25 purple, fourth. The purple area

1 represents concentrations that are greater
2 than .25 parts per billion. To put that
3 into prospective for you, if you had a
4 55-gallon drum, which is pretty much your
5 average trash can you'd put out on the
6 curb, maybe a little bigger, one drop of
7 liquid in that drum would represent about
8 200 parts per billion. So the purple
9 area, which is reaching to Renaissance
10 Boulevard, is less than .25 parts per
11 billion; so, it's less -- that much less
12 than that drop in the drum. The red area
13 (indicating) represents concentrations
14 greater than a hundred parts per billion.

15 The other major area that we
16 identified at the site is the waste
17 ammonia liquor pipeline that ran from the
18 Alan Wood Steel plant to the site.
19 Portions of that pipeline have been
20 removed by private companies and parties
21 who have done construction along the
22 route, but we're still not sure if the
23 entire pipeline is gone.

24 After we did the remedial
25 investigation and found out what was at

1 the site and where it was going, EPA
2 performed a human health risk assessment.
3 In the risk assessment, we identified who
4 could be the -- who the people would be
5 that could potentially be exposed to the
6 areas of the site that has contamination.
7 We identified child and adult residents,
8 people who would trespass or visit the
9 site, construction workers who would work
10 at the site, and industrial workers who
11 would work in office buildings on the
12 site. We evaluated those receptors
13 against both a carcinogen and a
14 noncarcinogen -- carcinogenic substances
15 that are at the site in the contamination,
16 and we found that the highest risks are
17 from the Quarry 3 soils, which is the main
18 quarry, and the groundwater.

19 So after having the risk assessment
20 and the remedial investigation, the
21 potentially responsible parties conducted
22 a feasibility study to identify which
23 alternatives could be used to clean up the
24 site. They broke these alternatives into
5 three categories: The site-wide

1 categories, which would be alternatives
2 that could be implemented site wide
3 without respect to different quarries or
4 different areas; the groundwater
5 alternative; and then, also soil and
6 sediment alternatives. These alternatives
7 begin -- the descriptions of these begin
8 on page 10 of the proposed plan if you
9 picked one up. I'm not going into too
10 much detail about them because it would
11 take too long. But if you want to read
12 about them, they start on page 10. So
13 these are the ones for the site-wide
14 alternatives; and then, the groundwater
15 alternatives (indicating). And these were
16 the alternatives listed in the feasibility
17 study for the soils and sediments.

18 So after the feasibility study, EPA
19 evaluated the -- all the alternatives that
20 were identified in the feasibility study
21 to figure out what our preferred
22 alternative would be. And we evaluate
23 those alternatives against nine criteria
24 that are listed in the National
25 Contingency Plan for Superfund Sites.

1 These are the nine criteria that we
2 compared those alternatives to
3 (indicating). The explanation of those
4 criteria starts on page 17 of your
5 proposed plan if you want to read through
6 that, and it goes into a rather long
7 narrative of about how we prepared them;
8 so, I'm not going to go into that now.

9 So after comparing all the
10 alternatives that are identified in the
11 feasibility study, EPA came up with what
12 we think is our preferred alternative for
13 the site, and that meets the nine criteria
14 and is protective of human health and the
15 environment. First, we want to continue
16 investigating the waste ammonia liquor
17 pipeline from where it ran from the Alan
18 Wood Company to the site to make -- to see
19 if any portions remain, if there is
20 contaminated soils associated with those
21 portions, and then those portions would be
22 removed. We also want to remove all soils
23 and sediments in Quarry 3, in the ponds
24 and in the surface and subsurface soils
25 that have contamination in them. We also

1 propose to put a low permeability cap on
2 the remaining quarries, Quarries 4, Quarry
3 2, and Quarry 1, and other areas of the
4 site that might have contamination, which
5 could be Area 5 and Area 6, which are two
6 areas that we identified and are talked
7 about in the proposed plan. And then,
8 other areas of soil around the site where
9 contamination has been found
10 (indicating). And then, we chose
11 monitored natural attenuation, evaluated
12 against the nine criteria in the National
13 Contingency Plan, monitored natural
14 attenuation of the groundwater to monitor
15 if the groundwater is moving off the site
16 and that it might be naturally attenuating
17 through biological processes and -- and
18 not -- the contaminants are not reaching
19 the Schuylkill River.

20 Another way of looking at this is
21 through the costs. This table is --
22 should be right near the back of the
23 proposed plan if you want to look at it.
24 It might be easier to see. You might not
25 even be able to see that at all. The

1 first three costs are the costs that would
2 be associated with the site-wide
3 alternatives. Then come the -- the soils
4 and sediment alternatives; and then, the
5 groundwater alternatives. The bolded
6 alternatives are those that EPA chose for
7 their -- its preferred alternatives.
8 They're also represented by the green
9 arrows. We evaluate the costs based on
10 the capital costs, which is the basic cost
11 of construction. Then we have to throw in
12 the annual operation and maintenance
13 costs, which would be how much it would --
14 once we built the remedy, how much it
15 would cost each year to maintain that
16 remedy and make sure it's still protective
17 of human health and the environment. And
18 then, we calculate those together on a
19 present work basis.

20 The total cost of the EPA-preferred
21 alternative would be \$12,702,000. That's
22 adding the natural attenuation of the
23 groundwater, the removal of all affected
24 soils and sediments in Quarry 3 and the
25 low permeability cap on the other

1 quarries, and continued investigation of
2 the waste ammonia liquor pipeline.

3 As you can see, stabilizing the entire
4 site, all the contaminants at the site,
5 which is adding a stabilization into the
6 contamination to make sure it will never
7 leach out or migrate, would cost a hundred
8 and 4 million dollars; and removing all of
9 the contamination at the site would cost
10 \$69 million.

11 We released the proposed plan of our
12 preferred alternative on June 16th, and we
13 offer a 30-day public comment period for
14 the public to write in their comments to
15 us or ask them at the public meeting.
16 That will end on July 17th. And you can
17 send your comments to Joseph McDowell.
18 His address is up here (indicating). It's
19 also on the third page of the proposed
20 plan and at the end of the proposed plan.

21 So, that's basically how we got to
22 where we are today, and I'd like to open
23 up the floor for questions. If you have
24 any questions about what we choose to do
25 at the site or anything else about the

1 site. And I'll leave this up if you need
2 to refer to it, if you can see it.

3 Go ahead.

4 COMMENTS/QUESTIONS FROM THE PUBLIC

5 MR. WALTER: Joseph Walter from
6 Hawthorn Road, King of Prussia. First of
7 all, I would like to say I am generally in
8 strong support of the procedure you
9 mentioned for Quarry 3. I was afraid you
10 were just going to cap it, but removing
11 the sediment first, I think is a very wise
12 issue, to cut down the continued pollution
13 of the groundwater. Some questions
14 regarding that phase of it: The level of
15 tar cleanup at the bottom -- I -- I've
16 been there before myself, and I could just
17 picture several feet of tar; you have an
18 irregular rocky bottom. And when you say
19 "clean up," -- and the information in here
20 kind of indicates a very hopeful sign.
21 How clean is clean up? Have you set any
22 conditions for this yet?

23 MS. LORD: We have numbers based on
24 the human health risk assessment that are
25 in the feasibility study. We also have

1 soil cleanup levels in the -- in the
2 feasibility study. In the Record of
3 Decision, we'll determine what the exact
4 cleanup level should be.

5 MR. WALTER: Well, I was talking not
6 so much about the cleanup, but the
7 physical removal of the tar, which is one
8 of the things --

9 MS. LORD: Right.

10 MR. WALTER: -- that you mentioned.

11 MS. LORD: Right.

12 MR. WALTER: I mean, what do you do?
13 Go down an inch or two or what --

14 MS. LORD: Oh, it would be to
15 remove -- I mean, we said "complete
16 removal" --

17 MR. WALTER: -- to get it done. I
18 think it's --

19 (SIMULTANEOUS SPEECH)

20 MR. WALTER: I was a little bit
21 surprised at, while identifying the fact
22 that the groundwater is significantly
23 contaminated, that there is no provisions
24 for treating the groundwater such as a
25 simple pump and treat system or something

1 like that.

2 MS. LORD: You mean why did we chose
3 it, or --

4 MR. WALTER: Well, why --

5 MS. LORD: -- what?

6 MR. WALTER: I was kind of curious as
7 to why you chose not to treat the
8 groundwater (inaudible).

9 MS. LORD: I'm going to leave that to
10 our hydrologist, Bruce Rundell.

11 MR. RUNDELL: We did consider that,
12 and -- well, we did a computer modelling
13 on the plume. We know the extent of the
14 plume, and we believed that by removing
15 the source areas and -- in Quarry 3 and
16 capping the source areas that are in the
17 other quarries that the continued
18 contamination of the groundwater by those
19 sources will enable the plume to clean up
20 itself in a relatively short period of
21 time, in five, ten years or so. So we
22 believe that that's -- those are good time
23 frames. We can always, if that proves to
24 not be the case, we can also go back in
25 five or ten years and put a pump and treat

1 system in. But the difference in the cost,
2 we thought it's worthwhile to give natural
3 attenuation a chance to -- to work.

4 MR. WALTER: Well, I think if five or
5 ten years works, that's just great. And
6 then it can be reconsidered in that time
7 period. I think that's --

8 MR. RUNDELL: Well, one thing that we
9 always do is we have a monitoring period.
10 Every five years, we --

11 MR. WALTER: Yeah.

12 MR. RUNDELL: -- remedy, so, I
13 think --

14 MR. WALTER: Yeah -- I saw it
15 indicated --

16 MR. RUNDELL: Yeah.

17 MR. WALTER: -- about the monitoring.
18 I didn't know that you had the option to
19 then go in and start pumping --

20 MR. RUNDELL: Yeah.

21 MS. LORD: Yeah.

22 MR. RUNDELL: Yeah. We'll put a time
23 frame on it because we want -- basically,
24 we want -- our goal is to have the
25 monitored natural attenuation occur within

1 15 years. We believe it'll happen sooner
2 than that, but within the first few years,
3 if we don't see it happening, we can --

4 MR. WALTER: Well, that's good. That
5 satisfies me.

6 Now, finally, over the last weekend,
7 some citizens brought to me some tar
8 samples they have recovered from the
9 site. And upon breaking them open and the
10 fear that it was coal tar residue from the
11 old coking operation, this caused me and
12 the residents some concern because, as you
13 know, coal tar is on the rather small list
14 of known carcinogens and has been on there
15 since 1980. That was the first year that
16 they put it out; so, it's not any secret.
17 Subsequently, I made a trip over there and
18 found many samples of coal tar in many
19 different areas of the site and,
20 yesterday, I went down with two members of
21 our EAC Committee, and we found some
22 more. And today, I was out there, and I
23 found some more. And the resident
24 indicated to me that where he found his,
25 and we were not working in the same area.

1 Now, you and I discussed this yesterday,
2 if you recall. And you indicated
3 something that surprised me a little bit.
4 Maybe it didn't. You indicated that while
5 the quarries are certainly the focal point
6 of the site and much sampling was done
7 there, you actually only had about three
8 samples around the whole rest of the site
9 which is where we were finding this tar.
10 So, what I'm getting to is this is
11 hazardous material. I have know idea how
12 much is there or where it is, but without
13 even making much of an effort, it's not
14 hard to come across it. Since this hasn't
15 been addressed directly, what -- what do
16 you see as a -- as a problem or lack of
17 problem, or obviously (inaudible) -- how
18 do you see -- do you want to comment on
19 that?

20 MS. LORD: Well, I think since it's
21 obviously contamination that we've
22 already -- it's not contamination we've
23 already investigated, but it's similar to
24 the other contamination that we found on
25 the site. It's not surprising that it's

1 there. But in our preferred alternative
2 to remove Quarry 3 and cap the other three
3 quarries, it also say "other affected
4 areas of the site." So, if we were to
5 find that there is other contamination at
6 the site, we could either incorporate that
7 into our cap, or it could be removed. And
8 that is a good point. And it actually
9 might need to be added into the Record of
10 Decision that, you know, if we find it in
11 areas that aren't in the quarry and it
12 can't be capped, then, it would be
13 removed.

14 MR. WALTER: Well, there's no question
15 that you're going to find it because I and
16 a citizen and some other people who were
17 with me can certainly point it out. And I
18 should point out, it's shards like that
19 (indicating). I would like to be able to
20 say it all came from a certain area --

21 MS. LORD: Right.

22 MR. WALTER: -- find that area, then,
23 you could go in and cap it and be done.
24 But the reason that this plays on my mind
25 specifically is a member of the Advisory

1 Council of Upper Merion Township has gone
2 on record last February as saying that we
3 were concerned that construction
4 activities and so forth on the Superfund
5 site could potentially mobilize
6 contaminants and create a threat to the
7 people in the vicinity, whether it's
8 workers, or whether it's residents and so
9 forth. Well, we're thinking about that
10 statement, and we're thinking about what
11 we have seen, you see, and it's -- it's
12 a -- it's a situation that kind of
13 surprised me because I am well aware of
14 the hazards of this material, particularly
15 when it's posted on the list, as I said.
16 So, I think that -- I don't think it
17 probably being investigated because I
18 don't think you were aware of it. I
19 understand that, you see. I would like
20 some -- some plan of action designed, how
21 to determine the extent of this. I have
22 no clue as to the extent of it, how --

23 MS. LORD: Well --

24 MR. WALTER: Go ahead.

25 MS. LORD: First, I want to address

1 that to Jennifer for the risk 'cause she's
2 our toxicologist, and she can tell you
3 about the risks that are associated
4 with -- with what -- the coal tar that you
5 found on the top of the site.

6 MS. HUBBARD: We did look at areas
7 outside the quarries. The quarries are
8 probably the worse areas, the quarries and
9 the groundwater. So much of our
10 discussion was focused on that; however,
11 we did take samples outside the quarry in
12 the surface soil, and those soils were
13 contaminated enough that we know that we
14 need to do something about them. And
15 along with some of the other areas that we
16 won't talk about in detail here, but are
17 certainly discussed in the record. And we
18 know there is other areas of
19 contamination, and that's why -- other
20 affected areas -- but generally, we hadn't
21 pinpointed every single area of where that
22 is, but in the course of the cleanup,
23 that's going to be identified during the
24 cleanup, the levels for the soils.

25 UNIDENTIFIED SPEAKER: I understand

1 what you're saying. I appreciate it. But
2 I think I should try to clarify. I'm not
3 so much talking about the groundwater or
4 soil as I'm talking about shards of tar.
5 And the size of the shards of the tar are
6 as small as this (indicating) to as large
7 as this (indicating), and they are very --
8 in some cases, it looks like an old road.
9 If you break them open, and woof
10 (indicating), out it comes. And when you
11 start getting those fumes and the infusion
12 of odors coming out of there, the
13 contamination level of all of these are
14 going to go out the window --

15 MS. HUBBARD: Well --

16 UNIDENTIFIED SPEAKER: -- if
17 somebody --

18 MS. HUBBARD: Well, okay. I mean
19 first of all, it is a superfund site, and
20 I wouldn't recommend that people are there
21 to be accomplishing, you know, something
22 -- something associated with something
23 within the site. You know, I wouldn't
24 recommend going out there, you know, and
25 trying to find the stuff and deliberately

1 breaking it open just because there's --
2 there's really no reason to add whatever
3 exposure that that would add.

4 During the cleanup activity, these are
5 done under certain conditions. You have
6 to follow certain rules. You don't just
7 run out there and you have to have
8 protective gear, and it seems to be -- it
9 releases from the site, releases into the
10 air. That all has to be monitored, and it
11 all has to be covered. We won't -- you
12 know, we're not going to just go out there
13 willy-nilly and -- and -- and, you know,
14 cause anything to -- causing releases
15 where there weren't any before.

16 MR. WALTER: I understand that. I
17 wasn't so much thinking about your
18 activity or your contractor's activity
19 when you begin this event. There's
20 construction activity that is in the
21 process of going on down there and some
22 more proposed construction activity that
23 is going to be in this area. And it's
24 not -- it has nothing to do with your
25 cleanup or whatever that's going to be in

1 these areas. We are concerned about the
2 accidental release or involvement of these
3 materials and, again, it's become more
4 troublesome, not just because of what they
5 are, but the -- another scatter spot, and
6 wide spread locations.

7 MS. LORD: Well, I can tell you that
8 I've talked to -- when Liberty Property
9 Trust built their building and their
10 parking lot, they came across the pipeline
11 and related contamination and submitted a
12 plan to the EPA saying how they were
13 planning on cleaning it up, and we agreed
14 that they were going to do it the right
15 way, and they did. O'Neil has also come
16 across part of the pipeline on their
17 property, and they've also been in contact
18 with us. And they know what's there, and
19 they have agreed that they will clean it
20 up in a proper way too. So I think
21 everyone who is associated with current
22 construction or will be associated with
23 construction on the site, for now, does --
24 is aware of what it is and how to clean it
25 up.

1 MR. WALTER: I understand the pipeline
2 situation. I should point out that the
3 samples I have come across were nowhere
4 near the pipeline. I know where the
5 pipeline was, and I have worked with the
6 O'Neil people. And I think they did a
7 decent job. I -- I feel comfortable with
8 what the circumstance is on the pipeline.
9 We were way away from that. This is way
10 away from the pipeline. And I --

11 MS. LORD: But we -- we are addressing
12 it. It is in our proposed plan to --

13 MR. WALTER: I --

14 MS. LORD: -- the other contaminants
15 that aren't in the quarries, and I think
16 it also --

17 MR. WALTER: I still think it's a
18 narrow statement, that capping all other
19 affected areas and --

20 MS. LORD: Well, that's the reason
21 it's generic is because we don't know
22 exactly where all the other areas are.

23 Yes?

24 MS. LECHTER: My name is Ms. Lechter.
25 I'm a resident of King of Prussia. I'm

1 running for the House of Representatives.
2 And I was at the town meeting that the
3 board of supervisors had a few weeks ago
4 here, and the advertised statement was in
5 regards to the future construction on the
6 site and that the construction was going
7 to be halted until the EPA came back and
8 told the residents what was happening with
9 the land between the quarries. And I
10 think perhaps part of the concern is what
11 is actually on the land between the
12 quarries that may or may not be disturbed
13 during construction. I'm sitting here. I
14 haven't read your report yet, and I don't
15 feel that issue is addressed. The other
16 thing I wanted to ask you, 'cause I
17 noticed in the (inaudible) of indigenous
18 soil and when you stand up and talk about
19 how much contamination is in those
20 quarries, I wonder if (inaudible).

21 (Court reporter informs speaker that
22 they must speak up).

23 MS. LORD: Let me address the first
24 question, and then, I'll direct the second
25 question to Jennifer.

1 O'Neil Properties proposed a
2 development between Quarry 1 and 2. I
3 just want to point out that we're not here
4 to discuss that. That is not an EPA
5 issue. But I can say that O'Neil, you
6 know -- when -- when they came to us and
7 proposed -- or they said that they were
8 proposing building in this area, we said
9 well, we think there's a portion of a
10 pipeline that was there and they're might
11 be contamination associated with that, but
12 that's never been investigated, and it
13 needs to be investigated, in our point of
14 view, before you build there. And O'Neil
15 submitted a plan to us, saying this is
16 what we -- we are going to do to look at
17 the pipeline and the associated
18 contamination. We said, okay. We agree
19 with that. And they have gone out and
20 taken samples, and I just got the results
21 of those samples today. So they have been
22 working on this. They are aware of what
23 is there. And they've been looking in
24 that whole area for contamination. So
25 even though it's not addressed directly,

1 that portion of the pipeline isn't
2 addressed directly in our report because
3 we weren't sure if it existed, O'Neil has
4 been working on it. So we do know now, or
5 as of today -- EPA knows what is there.
6 Does that answer your question
7 or --

8 MS. LECHTER: Well, I think everyone
9 would like to know what is there.

10 MS. LORD: Well, I just got the --
11 it's -- it's all the same contamination,
12 the site related -- the waste ammonia
13 liquor related contamination that came
14 from the Alan Wood Steel plant because it
15 was along the pipeline. The contamination
16 spilled out of the pipeline, and that's
17 what they found in that area. And then,
18 for the -- what she's referring to is the
19 indigenous soils is on Table 1 in your
20 proposed plan which is the rift table.
21 Jennifer, do you want to address this, or
22 do you want me to?

23 MS. LECHTER: Where is it?

24 MS. LORD: It's at the -- it's near
25 the end. It's the second to last page.

1 It's Table 1.

2 MS. HUBBARD: Could you clarify what
3 you wanted to know?

4 MS. LECHTER: Well --

5 MS. LORD: It's the background, why --

6 MS. LECHTER: I -- I haven't had a
7 chance to really look at the report, but
8 when I listened to your verbal
9 presentation of how much contamination is
10 in the quarries, I -- I just even begin to
11 think that indigenous soil is really that
12 important to report, and I wondered how
13 much (inaudible).

14 (Court reporter informs speaker that
15 they must speak up.)

16 MS. LECHTER: -- on a number of
17 occasions that is relevant.

18 MS. HUBBARD: What -- what that's
19 saying is that some of the areas, we have
20 a large enough number of samples to say
21 with certainty that some of the metals --

22 (Court reporter informs speaker that
23 they must speak up.)

24 MS. HUBBARD: -- and some of them also
25 occur in contaminated areas. And some of

1 these metals, we couldn't be absolutely
2 certain whether any particular metal was
3 related to -- to natural causes or from
4 the site. But some areas we had here

5 (Court reporter informs speaker that
6 they must speak up.)

7 MS. HUBBARD: -- the -- there's a lot
8 of metals that occur naturally in soil.
9 And some of them also occur in the
10 contaminated area. And some areas, we
11 couldn't be absolutely certain whether a
12 particular metal is really due to natural
13 causes or from the site. In some areas,
14 we had statistical tests done, but you can
15 only put a certain amount of faith in
16 that. So, to be -- just to be absolutely
17 clear and to get to the varying degrees of
18 certainty that we have, this is something
19 that will be addressed more closely as we
20 go to the cleanup, when we're looking in
21 that specific area, really getting down
22 to, you know, are we going to cap this
23 area, or how far out are we going to go,
24 do we need to take away something from
25 this area, what should the levels be? At

that point, we'd be looking more closely at -- if -- if we're looking into a metal, is this now definitely from the site, or is it background?

MS. LECHTER: So, as you look at testing and analysis, you would expect to find these metals?

MS. HUBBARD: You would find certain metals in the soil, things like iron, aluminum, manganese, are very common, and they're found in all soils, even things like arsenic and lead are found naturally in the soil. And what's complicated is that lead can also occur from the contamination. And so, when you have both, it becomes more difficult to tell whether it's from the site or background.

MS. LECHTER: Okay. I guess what I'm asking is in relation to the amount of contamination that's been addressed. How that would affect these results that how much of this is based on the area around the contaminated site? I mean, I guess I just don't clearly understand, looking at that, with asterisks around all of the

1 numbers, how much that really is going to
2 play into what you're total remediation is
3 going to be on the site that is known to
4 have ongoing contamination for 50, 60, 70
5 years.

6 MS. HUBBARD: The ones that have two
7 asterisks, it means we know that there's
8 contamination that is not due to
9 background. And even if some of the
10 things that are causing these numbers that
11 are shown here -- some of them may be
12 natural, but even if you took away those,
13 you would still have enough that we know
14 that it's due to the site, things that are
15 not natural, that we would clean it up any
16 way. And the numbers that don't have
17 anything next to them, are based on site
18 related. So it's really up in those --
19 there's a couple of places that we have a
20 single asterisk. It's possible that we --
21 we'll look at that more closely. That
22 area may turn out to be not really
23 affected by the site. But you can see
24 that we have enough areas that we've
25 determined that they're definitely is some

1 type of addressing needed on that.

2 MS. LORD: It is also important to
3 know that this is just a table summarizing
4 the risks. There is a whole risk
5 assessment report in the administrative
6 record for the site, which is in the Upper
7 Merion Township Library and in our offices
8 in Philadelphia. And it -- it goes into
9 much more specifics on all the risks that
10 are at the site.

11 Yes?

12 MS. BUARD: Patricia Buard. That's
13 B-U-A-R-D. I would just like to clear up
14 the lines of responsibility --

15 MS. LORD: Okay.

16 MS. BUARD: -- and the possible
17 construction on the site. Now, EPA would
18 be responsible for cleaning up?

19 MS. LORD: Right.

20 MS. BUARD: So, the person or a
21 corporation wanting to build on the site,
22 would they have to submit a plan to the
23 EPA to build anywhere near a contaminated
24 site? Do they have to know the plan for
coping with that contamination?

1 MS. LORD: Under the --

2 MS. BUARD: Is that provided by law?

3 MS. LORD: No, not by law. If they
4 own the land, EPA can't tell them what to
5 do on the land unless they are a part of
6 the responsible parties for the Superfund
7 site and we've agreed under an order that,
8 you know, they can't do anything. But if
9 anything would happen on the -- say they
10 build a building on Quarry 1 without
11 telling us; we didn't know; we went in and
12 found that there was a lot of
13 contamination there; it was coming up
14 through the building; everyone's at risk;
15 EPA would have to tell them to take it
16 down so we could do our proper cleanup
17 there. So it -- it -- it's in the party's
18 best interest to stay in contact with EPA
19 and work with EPA to see that what they're
20 doing would be within what we chose to do
21 for our cleanup.

22 MS. BUARD: So they're responsible to
23 allow the building -- it's the township's
24 responsibility in approving the
25 developers, submitting the plans and

1 approving that plan?

2 MS. LORD: Yes. Yes.

3 Yes? Go ahead.

4 MR. TOMCHICK: Ed Tomchick. Over a
5 period of years, on this site, Renaissance
6 has been developed. And over the last
7 five or six years, maybe the past ten,
8 I've gotten water in my basement. Water
9 started dripping. There's been massive
10 amounts of building. The macadam is there
11 and a holding pond with the rain water.
12 Now, I have noticed in the past two to
13 three years -- and my neighbor across the
14 street has the same thing. We happen to
15 be in a position on Philadelphia Avenue,
16 Crooked Lane; we're at the top of the
17 hill.

18 MS. LORD: Right.

19 MR. TOMCHICK: When it rains for a few
20 days, a good heavy rain, the rain goes
21 away, the sun comes out, we are getting
22 water up to -- about at least four inches
23 of macadam on Philadelphia Avenue. And
24 the hydrologist that is here, where's the
25 water coming from? I've called the water

1 company, and they said it's not ours.
2 I've call the township, and they said it's
3 probably a broken waterline --

4 MS. LORD: Can I ask --

5 MR. TOMCHICK: We noticed that the
6 macadam is stained. Is -- are we getting
7 seepage from contaminants underground?

8 MS. LORD: Where? You're off of
9 Crooked Lane, which is up here.

10 MR. TOMCHICK: Keep going down.
11 Right -- right there. Philadelphia Avenue
12 and Crooked Lane.

13 MS. LORD: Okay.

14 MR. MARSHALL: Right where Renaissance
15 comes down. We're right there.

16 MS. LORD: Right here.

17 MR. TOMCHICK: Right there. And we're
18 going down Philadelphia Avenue. And I've
19 called the township when it snows, and
20 it's cold, saying we're getting water up
21 here, come out and salt things down. You
22 know, you guys aren't like the Men in
23 Black; I can't call you, in 20 seconds,
24 you got a response team. Is there
25 something that you could give us, a soil

1 sample, or a bottle that we could syphon
2 this stuff out and send it to you and to
3 an independent laboratory to find out
4 what's in there? You know, if you're
5 coming up through, at least -- and I say
6 it's at least four inches of macadam.
7 They -- they macadamized the road twice
8 since I've been there, and it's been there
9 before. So I'm saying at least four
10 inches of macadam. So whatever is there,
11 you know, holding pond for rain water,
12 it's pushing it up. And if it's pushing
13 it up, it's got to be leaching from
14 somewhere.

15 MR. RUNDELL: Well, that's a tough
16 one. The water table at the site is 90
17 feet below the ground surface.

18 MR. TOMCHICK: Why is it coming up
19 through the macadam?

20 MR. RUNDELL: Well --

21 MR. TOMCHICK: Why do I have a French
22 drain in my house?

23 MR. RUNDELL: What I'm trying to say
24 is that because the water table is 90 feet
25 below the ground surface, below your

1 house, I don't believe that it's
2 groundwater from the water table that's
3 coming up. You know, it sounds like it's
4 more associated with surface runoff than
5 underground water. And whether it's
6 coming through a sewer line or some
7 other --

8 MR. TOMCHICK: I've noticed it ever
9 since they've been building there.

10 MR. RUNDELL: Yeah, that's why I
11 believe -- I'm just speculating right
12 now. Most likely, it's due to a surface
13 runoff, due to the rain and not changes
14 the water table.

15 MR. TOMCHICK: Well --

16 MR. RUNDELL: -- because the water
17 table is 90 feet down. It doesn't rise
18 that way.

19 (Court reporter informs speakers that
20 only one person may speak at a time).

21 MR. RUNDELL: -- what kind of flow it
22 is? I mean, is it --

23 MR. TOMCHICK: It's coming out there
24 pretty good.

25 MR. MARSHALL: The whole area. The

1 water's coming out of the street.

2 MR. TOMCHICK: And it runs down --

3 (Court reporter informs speakers that
4 only one person may speak at a time).

5 MR. RUNDELL: And there are no pipes,
6 underground pipes?

7 MR. TOMCHICK: Oh, I'm sure there is.

8 All right, but the water company --
9 the water company says it's not their
10 problem; the township says -- and in the
11 wintertime, this past winter, there's been
12 a lot of snow, and it froze, snow on the
13 way, call them to come salt. There was
14 cars coming in my driveway, knocked my
15 mailbox down. They come out there and
16 salt and that's it. Now, I never
17 attributed this because I was sort of
18 ignorant of the fact. But, you know,
19 something is in there bringing that water
20 up. I don't know what it is and what's in
21 the water.

22 MS. LORD: Can you, afterwards, give
23 me your name and phone number. I'll see
24 if we can find -- if I can take it to the
25 right person at EPA that we could have it

1 sampled for you.

2 MR. TOMCHICK: Certainly.

3 MS. LORD: To see if it's -- at least
4 if it's coming from -- from the site,
5 which we don't believe it is because
6 it's -- most of the groundwater we've
7 found on the site is flowing in -- in this
8 direction (indicating), towards the
9 Schuylkill.

10 MR. TOMCHICK: Yeah.

11 MS. LORD: So... But let me get your
12 name and number so we can address that.

13 Yes?

14 MS. GEDAY: I am Marta Geday --
15 G-E-D-A-Y. I'm a resident of the Crooked
16 Lane Townhouses. And I just wonder how
17 far away you've done any sampling because
18 these town homes are barely only 20 years
19 old. These town homes are probably only
20 20 years old, and who knows who owned it
21 and what was there prior to it, and not to
22 mention that my shrubbery on the site is
23 just always dying and the trees and
24 everything. It was always curious before
25 I knew anything about the site.

1 My second question is, now that he
2 mentioned it (indicating), one block --
3 the length of one block from our entrance
4 to -- from the complex's entrance toward
5 the train, there is a property. I don't
6 know who it belongs to. It has a bunch of
7 trees on it. It's about the size of one
8 or two houses -- lots. And it's always a
9 marsh. It just doesn't dry up, you know;
10 so, I worry about the mosquitos with all
11 this meningitis scare, as well as the
12 smell when you go walking by it. And I
13 just wonder why -- because we have a
14 drainage ditch right behind our town home
15 and that, you know, when it's raining, it
16 fills up a few feet, and it goes away.
17 This one is just always sitting there. It
18 just doesn't. And -- and I have no idea
19 why it does that.

20 MS. LORD: I'd say, the answer to your
21 second question, I don't know, and that's
22 not really part of our super --

23 MS. GEDAY: Isn't there anything --

24 MS. LORD: -- fund site.

 MS. GEDAY: -- anyone that you could

1 direct me to, an engineer or something
2 or --

3 MS. LORD: I'd say the township would
4 be the one to check with first and then --

5 MS. GEDAY: Anyway, as far as the
6 samples.

7 MS. LORD: When we -- when the
8 sampling was done in the remedial
9 investigation, we -- we pretty much -- or
10 the responsibility parties pretty much
11 stayed in the quarry area because, as far
12 as we knew, the reason that the site was
13 listed was because the pipeline carried
14 the contamination directly into the
15 quarries, and then, there were a few areas
16 between the quarries where it leaked. So
17 we didn't do sampling off site because
18 there was no reason for us to think
19 that -- or the responsibility parties to
20 think that the contamination migrated off
21 site, other than where the pipeline ran,
22 back to the -- to the Alan Wood Steel
23 plant or into the quarries.

24 Go ahead.

25 MS. FRAILEY: In your investigational

1 studies, did you find the coal tar
2 residues that were mentioned?

3 MS. LORD: Yes.

4 MS. FRAILEY: How early on did you
5 come across that?

6 MS. LORD: Ah, it -- we know that
7 they're there, and when the remedial
8 investigation was done, they came across
9 it. So...

10 MS. FRAILEY: The point I'm trying to
11 make is you've been focusing in Quarries
12 1, 2 and 3. The fact that these coal tar
13 residues, which have been recently
14 discovered by residents, brings up a
15 question of how thoroughly did you really
16 cover the site so that you can say
17 unequivocally that someone could go in
18 there and disturbing that or move around
19 between quarries 1 and 2 when you're not
20 sure -- or had you investigated that --
21 plus the fact that you're going to go into
22 remediation of that Quarry 1 through 3,
23 with what you're proposing, and you will
24 perhaps find other layers of that coal
25 residue. How are you going to address

1 that, and how should the township address
2 that particular site?

3 MS. LORD: Between Quarries 1 and 2,
4 you're asking?

5 MS. FRAILEY: No. I'm talking about
6 the coal residue tar (sic.) on the Crater
7 Resource (sic.) Site.

8 MS. LORD: We are aware that there are
9 residues on the site. And that's why we
10 did a remedial investigation and then the
11 human health risk assessment to determine
12 whether or not there was a risk to people
13 coming on the site.

14 I'd also like to reiterate what
15 Jennifer said, is that it is a superfund
16 site and trespassers and people walking on
17 there should be careful. They probably
18 shouldn't even be going on the site. We
19 might need to restrict access and
20 definitely not disturb the coal tars that
21 are there. We are aware that they are
22 there. And as I said, when O'Neil said
23 that they were going to try to build
24 between Quarry 1 and 2 and they said is
25 there contamination there, we said, well,

1 we believe that a part of the pipeline
2 might have ran there. And so, they
3 started doing an investigation on it. So,
4 I have to say that we -- if we do find
5 something new, we will investigate it.
6 And we did as thorough investigation as
7 the responsible parties and the EPA felt
8 was necessary to determine where the --
9 where the -- the contamination was
10 located.

11 MS. FRAILEY: Were they also made
12 aware of the fact that there is coal tar
13 on that Crater Resource (sic.) Site other
14 than looking at the space between Quarry 1
15 and Quarry 2?

16 MS. LORD: Yes. We took soil samples
17 in other areas along where they thought
18 the pipeline was.

19 MS. FRAILEY: I'm not talking about
20 the pipeline.

21 MS. LORD: Not the pipeline, other
22 areas on the site. We did take surface
23 soil samples. And that is where the coal
24 tar was found -- was located because it
25 came out of the pipeline or from the

1 quarries. So we do have surface soil
2 samples. And in our alternative, we said
3 we would cap these three quarries and then
4 other affected areas, which would be the
5 other areas we've found the coal tar on
6 the site.

7 MS. FRAILEY: Do you have a map that
8 would specifically locate the sites where
9 you found coal tar to the present?

10 MS. LORD: In the remedial
11 investigation -- the report is in the
12 administrative record in the library.
13 There is a map of where we took the
14 surface soil samples.

15 MS. FRAILEY: Now, did you do it
16 throughout the site, or just along the
17 pipeline?

18 MS. LORD: We did it where we thought
19 the pipeline was because that's where we
20 thought the contamination came --

21 MS. FRAILEY: The -- the point
22 (Court reporter informs speakers that
23 only one person may speak at a time).

24 MS. FRAILEY: -- I'm trying to make is
25 while they're remediating the pipeline,

1 there's -- there's possible contamination.
2 elsewhere on the site that might impact
3 the development of any site.

4 MR. RUNDELL: Could I add a few
5 things? We -- when you walk around that
6 area, you -- there's all kinds of stuff
7 out there. There's construction debris;
8 there's tar out there; and you see it
9 everywhere. But one of the things you
10 have a difficulty with in these types of
11 investigations, is we knew where the
12 pipeline was supposed to be. We knew
13 through some records that the pipeline, at
14 certain times, ruptured and leaked, but we
15 didn't know where that leak was. You can
16 wander around into the woods and stumble
17 across this stuff. The question is how do
18 you go about finding every little piece
19 that's out there? And we -- we talked
20 about that in our investigative design.
21 You could go out and do a grid across the
22 entire site and take samples every 50 feet
23 and -- and that becomes very expensive,
24 and it also becomes difficult in that, you
25 know, if you take a sample here, and it's,

1 you know, 20 feet over in the woods where
2 you know -- the place is very thick with
3 woods and briars. The only way to really
4 do a thorough investigation and find every
5 little bit of tar is amazingly cut the
6 place down and bulldoze it. So we had to
7 do a balance, you know -- how do you go
8 about finding this? And we focused on the
9 places where we knew we'd have a good
10 chance of finding contamination and then
11 proved whatever the remedy would be in the
12 end, we could do a better job of -- of
13 finding all those little out liers
14 (phonetic) of contamination that may be
15 anywhere.

16 MS. LORD: And --

17 MR. RUNDELL: And we're going to do
18 that during the design, you know, when
19 you're -- when you're cutting to put your
20 path into a bulldozer, that's when you can
21 go out and find the stuff. It's very hard
22 to do that. It's very expensive to do
23 that in a -- in a sort of a scattered shot
24 piecemeal approach to the investigation.
25 So we, in a sense, postponed it. It's not

1 like we're ignoring it.

2 MS. LORD: And I also need to point
3 out that I was wrong about where we took
4 the other surface soil samples. They
5 weren't along the pipeline. They were
6 down -- that map is too off scale. They
7 were down in this area, below Quarry 3
8 because --

9 MS. HUBBARD: Yeah. Actually, they
10 are split. Some -- some we were trying to
11 get along the pipeline; and some we were
12 trying to get on the outside of Quarry 3
13 so that it wasn't -- it wasn't a sample
14 from the quarry, it wasn't a sample from
15 the pipeline, it was a sample outside
16 'cause the contention, early on, by the
17 responsible parties was that, you know,
18 the contamination's only in the quarries.
19 Well, let's look outside. Let's just make
20 sure. And the samples that we've taken
21 outside (inaudible) --

22 (Court reporter informs speaker that
23 they must speak up).

24 MS. HUBBARD: The proposed remedy
25 addresses areas that are outside the

1 quarries and outside the pipeline as
2 needed. And we don't have a map that
3 shows exactly where this is right now, but
4 it is certainly part of the cleanup.

5 MS. LORD: And I just want to
6 reiterate that during the design phase,
7 which, after the proposed plan and the
8 comment period, EPA issues a Record of
9 Decision, determining what the cleanup
10 remedy for the site will be. Then we go
11 into the remedial design phase when we
12 design how we're going to do the remedy
13 that we chose. During the design is when,
14 as Bruce said, if we come across other
15 areas, we can incorporate that into the --
16 the design. And that's why the proposed
17 plan is very vague about the other
18 affected areas.

19 Yes?

20 MR. KIEL: I have quite a
21 presentation.

22 MS. LORD: Would you like me to have
23 other people ask questions first, or do
24 you want to go?

25 MR. KIEL: I --

1 MS. LORD: Well, it's up to -- well, I
2 might need to cut -- let me see. I just
3 want to remind you that we're here to talk
4 about the site and our proposed plan.

5 MR. KIEL: Absolutely. Would you care
6 to go to my truck first to see the
7 samples? I did not bring them into the
8 building. My wife is sick from this stuff
9 already. I had it in the garage. Now,
10 it's outside. But anyway, I'd like to --

11 MR. RUNDELL: Can I make a comment?
12 This really concerns us that people are
13 going out to the site, a place where
14 there's known contamination, and exposing
15 themselves on purpose to contamination.
16 We had an incident in the township with --
17 associated with the pipeline where the
18 township was doing some road work and came
19 across an area where the pipeline --

20 MR. KIEL: Well --

21 (Court reporter informs speakers that
22 only one person may speak at a time).

23 MR. RUNDELL: We were really concerned
24 and shut that down instantly and --

25 MR. KIEL: Okay.

1 MR. RUNDELL: -- And told people to
2 stay out of the place. And they had
3 people come in and clean it up. And the
4 fact that people are going around in the
5 neighborhoods exposing themselves, this
6 isn't good. And just --

7 MR. KIEL: Oh, in other words, it's
8 toxic? I don't know what I picked up.

9 MR. RUNDELL: Well, you shouldn't be
10 on the --

11 MR. KIEL: I just --

12 (Court reporter informs speakers that
13 only one person may speak at a time).

14 MR. RUNDELL: You're going there
15 looking around for toxic substances and
16 take it home and put it in your garage.
17 Come on.

18 MR. KIEL: I don't know what it is.
19 Could I present my case, ma'am?

20 MS. LORD: Go ahead with your
21 presentation, or -- or... I ask you to
22 try to keep it brief so we can keep
23 discussion going, but let's hear what you
24 have to say.

25 MR. KIEL: Okay. I -- I just read one

1 of your reports where you initially start
2 this investigation on that site. One of
3 your recommendation was to fence in the
4 entire area. Am I right or wrong?

5 MS. LORD: It depends on what report
6 you're referring to, when it was, and --

7 MR. KIEL: Yes. I've been very
8 involved in this, and I think that
9 unfortunately, you don't want me here this
10 evening.

11 MS. LORD: I -- I'd like to hear what
12 you have to say, but I need you hear it
13 before you make that opinion.

14 MR. KIEL: Well, was a report that I
15 read -- it said that this site when it was
16 first evaluated, that it should be fenced
17 and marked as a superfund site.

18 MS. LORD: If you read the report, I'm
19 sure there was one. There's been reports
20 since the mid '70s and --

21 MR. KIEL: This was early on, surely
22 before you came on. But I can relate.
23 I've read so many of them. I will find it
24 if I have to. I will find this report.

25 MS. LORD: So are you asking that we

1 fence in the site?

2 MR. KIEL: I think the site should be
3 fenced in.

4 MS. LORD: We were -- we've been --

5 MR. KIEL: I have visited this site.
6 I don't know where the boundaries are, sir
7 (addressing Mr. Rundell). I don't know
8 where the boundaries are over there.

9 MR. RUNDELL: I understand that.

10 MR. KIEL: Well --

11 MR. RUNDELL: But I'm just -- I'm just
12 asking you, don't pick up things that you
13 don't know what they are.

14 MR. KIEL: Well, how this came about,
15 the environmental people of the applicant
16 said that there was no toxic materials on
17 the ground at this site. I've attended
18 many and many of these meetings. I
19 stressed to them because I'm very
20 knowledgeable of this ground. I covered
21 this ground as a kid before you were
22 thought about. Believe me.

23 MR. RUNDELL: I believe you.

24 MR. KIEL: And I do know -- come up
25 here, pal. I related these maps

1 (indicating), and I see how this developer
2 and what not has destroyed this property
3 since 1916 -- well, he came on the scene
4 in '79, but it's been destroyed over the
5 years. There's hidden quarries here
6 (indicating) that I exposed because I was
7 an aerial photo interpreter in Korea.
8 That was part of my work, aerial
9 photography. A graduate army engineer. I
10 also went to air force intelligence school
11 in Albert air base, California -- or
12 Colorado. So I'm not up here selling my
13 wares. I do have a little background.

14 Like I say, I grew up three-quarters
15 of a mile from this site. I contacted the
16 EPA and asked them -- that I had found
17 some very interesting information, above
18 all, the history of this. I did not get a
19 reply. I also asked if there is a fund
20 available to interested citizens that want
21 to pursue this on their own, the
22 investigation. I got no answer from EPA.

23 MS. LORD: Wait. Can I clarify? Are
24 you speaking about the E-mail that you
25 sent to me?

1 MR. KIEL: I sent you an E-mail, yes.

2 MS. LORD: And I did reply to that
3 E-mail. I didn't reply regarding the
4 technical assistance grant. I asked that
5 you contact Mr. Hudson. But I did reply
6 to your E-mail when you told me that you
7 knew something about the site.

8 MR. KIEL: You did?

9 MS. LORD: I did. You asked that
10 we --

11 (Court reporter informs speakers that
12 only one person may speak at a time).

13 MR. KIEL: I asked it to be sent to my
14 home address.

15 MS. LORD: I replied to your E-mail.

16 MR. KIEL: I was in North Carolina at
17 the time I sent that E-mail.

18 MS. LORD: Okay. Well, I replied to
19 that E-mail address. I wasn't aware --

20 MR. KIEL: I never received any reply.

21 MS. LORD: Okay. Well, I did reply to
22 the E-mail.

23 MR. KIEL: I asked you to reply to
24 King of Prussia.

25 MS. LORD: I just replied to your

1 E-mail. I'm sorry if I should have
2 replied to your -- your -- your home
3 address. And I can send it to your home
4 address. But I did reply to your E-mail
5 address.

6 MR. KIEL: Oh, well that was in South
7 Carolina at the time. I was --

8 MS. LORD: Well, I wasn't aware of
9 that.

10 (Court reporter informs speakers that
11 only one person may speak at a time).

12 MR. KIEL: And I asked that you send
13 it to 4090 --

14 MS. LORD: I apologize. That was my
15 fault.

16 MR. KIEL: Anyway, I just haven't been
17 able to get much cooperation or answers.
18 So I took it on my own. I trespassed on
19 that property. Some of it I didn't have
20 to trespass on. I trespassed on Gulf
21 Mills Golf Course, and their property line
22 runs right through Crater 3. I know that
23 site.

24 Now, here was a picture I took on
25 Saturday, two little kids sitting down

1 there playing on this dirt pile.

2 MS. LORD: Can I --

3 MR. KIEL: Like that --

4 (Court reporter informs speakers that
5 only one person may speak at a time).

6 MS. LORD: Can I see where that is?

7 MR. KIEL: I have extra copies. I
8 would be glad to give you.

9 MS. LORD: Okay.

10 MR. KIEL: This is the dirt pile in
11 front of the site -- of the proposed site.

12 MS. LORD: This is also clean soil
13 that was moved when it --

14 MR. KIEL: I don't know that. I'm not
15 even supposed to be on that site, see?

16 MS. LORD: But -- so -- I just want to
17 point out that's not part of the site
18 where they are. That is a road. That's
19 near the road, the Renaissance Boulevard
20 where the dirt pile is?

21 MR. KIEL: Yeah.

22 MS. LORD: That is soil that was moved
23 in when the other areas of Renaissance
24 were being constructed.

25 MR. KIEL: Okay.

1 MS. LORD: So it is not part of the
2 site.

3 MR. KIEL: It is on the site now.

4 MS. LORD: No. That's not part of it.

5 MR. KIEL: This is on the site of
6 Crater Resources. I beg to differ with
7 you.

8 MS. LORD: Okay. It's not
9 contaminated soil.

10 MR. KIEL: Oh, it isn't?

11 MS. LORD: No. That soil was brought
12 in. But, ah -- keep going.

13 MR. KIEL: These have been laying down
14 there for six months, all those soil test
15 barrels.

16 MS. LORD: These are, I think -- is
17 there someone from Liberty here? These
18 are when the pipeline was being removed.
19 Liberty Property Trust found a portion of
20 the pipeline, and they removed it. And
21 they needed to stock pile their soil
22 there. But I'd also like to once again
23 say this is private property, and you
24 shouldn't be walking on it. That's why
25 these are stored there.

1 MR. KIEL: If I can get information
2 from agencies that are part of our
3 government, don't then I have the right?

4 MS. LORD: Well, I, number 1, the
5 information is in the administrative
6 record and I --

7 MR. KIEL: The one that I got, it
8 isn't in there.

9 MS. LORD: What --

10 MR. KIEL: How about these wetlands
11 and all back there? They were never
12 addressed. How about this pile of dirt
13 that appeared in the last two days that
14 has this coal tar rolling out of it right
15 there (indicating)? Where did that dirt
16 come from? It wasn't there -- on --

17 MS. LORD: I think --

18 MR. KIEL: -- on Monday. It showed up
19 Tuesday, and --

20 MS. LORD: Can I ask that we have a
21 separate meeting about this?

22 MR. KIEL: Well --

23 MS. LORD: So we can discuss the --

24 (Court reporter informs speakers that
25 only one person may speak at a time).

1 MR. KIEL: Andrea --

2 MS. LORD: -- and that you can submit
3 your comments to us and we can respond to
4 them. I think that would be a better way
5 of --

6 MR. KIEL: Well, this is a very long
7 drawn out -- my whole presentation. I've
8 tried to get help from DEP. I talked to
9 the head man in Conshohocken today. I
10 talked to your people. I don't seem to
11 have gotten any results. I called
12 Harrisburg. Finally, Upper Merion
13 Township came to my aid.

14 MS. LORD: Can I ask -- let me --

15 MR. KIEL: I --

16 MS. LORD: Let me ask what your main
17 concern is. Is your concern that you
18 can -- that anyone can get to the site? I
19 understand that that's a concern, and that
20 probably needs to be addressed now.

21 MR. KIEL: My concern is I think the
22 site should be immediately fenced by the
23 owners.

24 MS. LORD: Okay. Well, we have
25 proffered up that today since we've

1 realized that there's a lot of trespassing
2 going on, and we will discuss that with
3 them. But I also want to say we have a
4 remedial investigation that explains -- we
5 took samples all over that site; so, we
6 know what is there. And now, we are
7 trying to clean it up. And I -- I want to
8 make sure that we're not talking over each
9 other --

10 MR. KIEL: Okay.

11 MS. LORD: -- when we're trying to
12 address the situation.

13 MR. KIEL: Okay. Well, as a concerned
14 citizen, would EPA even listen to me? I'm
15 like a guy sitting out here in the middle
16 of the ocean with no oars and --

17 MS. LORD: But I don't know how we
18 haven't listened to you. The first time I
19 met you was at the public availability
20 session, and I did --

21 MR. KIEL: Yeah.

22 MS. LORD: -- listen to you. Then you
23 E-mailed, and I did respond, but I
24 apologize that I didn't send it to your
25 house. I just responded on E-mail. And

1 now, we're listening to you, but I don't
2 want to --

3 MR. KIEL: I put calls into your
4 office.

5 MS. LORD: You called me today as I
6 was preparing and leaving for this
7 meeting.

8 MR. KIEL: Well, I'm doing this on my
9 own.

10 MS. LORD: I know, but I just want to
11 point out --

12 MR. KIEL: And --

13 MS. LORD: -- that we are not ignoring
14 you, that we are -- we are not ignoring
15 you. I have responded to you. I just
16 want to make sure that your concerns are
17 being addressed by what we're talking
18 about in this meeting. And if not, then
19 maybe we should meet --

20 MR. KIEL: Well --

21 MS. LORD: But that's what we are
22 presenting right now. We are presenting
23 how we are going to clean up the site. I
24 do understand that we might need to
25 restrict access. That is a problem, and I

1 do agree with that. But I also agree that
2 there --

3 MR. KIEL: What am I supposed to do
4 with these samples? I can't test them. I
5 don't have \$8,000.

6 MS. LORD: Well, we have --

7 MR. KIEL: I --

8 MS. LORD: We've done extensive
9 tests. We know that that stuff's there,
10 and we know what it is; so, it should have
11 stayed at the site.

12 MR. KIEL: Well --

13 (Court reporter informs speakers that
14 only one person may speak at a time).

15 MR. KIEL: -- in your report, it said
16 about all this toxic -- potential toxic
17 material. It was flowing down from Quarry
18 1, on down through that ravine, which I
19 always have talked about. And actually
20 where I had gotten these samples from --

21 MS. LORD: This is a report.

22 MR. KIEL: Who do I go to to get them
23 tested? I don't have \$8,000.

24 MS. LORD: I don't know the answer to
25 that question, because we tested the site,

1 and we have the results. And in the
2 administrative record, we -- you can go
3 through everything that we have done and
4 the responsible parties have done.

5 MR. KIEL: Since you --

6 MS. LORD: No. It's -- it's in there.

7 MR. KIEL: It's like lava falling back
8 in there where that tar came down from
9 Quarry 1.

10 MS. LORD: Are you saying that tar is
11 flowing now?

12 MR. KIEL: I can bring, if you -- if
13 your agency has the power to have someone
14 subpoenaed, they will tell you stories
15 about that site back there because the
16 fellow worked at Gulf Mills Golf Course
17 for ten years, and he knows more than I do
18 of all these recent problems.

19 MS. LORD: Right. And I -- and we do
20 have people that can deal with that at --
21 at the EPA. But what this meeting is
22 for --

23 MR. KIEL: Can you --

24 MS. LORD: I can't. I don't know the
25 answer to that question. That is not my

1 job. But there --

2 MR. KIEL: Do you have a legal
3 consultant here?

4 MS. LORD: No, we don't have a legal
5 consultant with us. I have a legal
6 consultant at the agency, but we don't
7 have one with us here today.

8 MR. KIEL: A simple question, but
9 before I forget, I would like to request a
10 90-day extension of any of your studies.

11 MS. LORD: You mean a 90-day comment
12 period or an extension?

13 MR. KIEL: This -- that this comment
14 period be extended to 90 more days.

15 MS. LORD: Right.

16 Can we do that?

17 MR. KIEL: We are a group of people
18 that do not have all of the weapons right
19 there in our hands. We don't -- I can't
20 go out and spend \$5,000 to get this
21 consultant in, to get information. This
22 is why I had to go trespassing on that
23 property.

24 MS. LORD: But let me also say that
25 that is why we have been involved with the

1 township. I have met with the
2 Environmental Advisory Council a few
3 times. We have done three public
4 availability sessions and we've --

5 MR. KIEL: I've been to all the
6 sessions, Andrea.

7 MS. LORD: No. There's two I did,
8 that you were -- didn't attend.

9 MR. KIEL: Pardon?

10 MS. LORD: There's two that I have
11 done that you didn't attend that was
12 before.

13 MR. KIEL: I have to take vacation
14 just like everybody else. Jeez.

15 (Laughter)

16 MS. LORD: I just want to point out
17 that all our -- the information leading up
18 to how we came to this conclusion is in
19 the administrative record. We also have
20 boxes and boxes and boxes of files at our
21 offices at the EPA that anyone can go
22 through.

23 MR. KIEL: Yeah. Well, that's what
24 they told me from Washington today when I
25 was talking to them.

1 MS. LORD: But we are doing the
2 cleanup to keep (sic.) the residents
3 informed of what's going on. So it's
4 not -- no resident should have to pay
5 \$5,000 to get something tested. That is
6 what the responsible parties do and what
7 we do.

8 MR. KIEL: But if it's so toxic, you
9 think this material I have, why doesn't
10 somebody take it away from me?

11 MS. LORD: Because we didn't know you
12 had it until you called me today.

13 MR. KIEL: I left word on the -- on
14 the answering machine that I discovered
15 this material, and I have it; and I want
16 someone to come and take it and test it.

17 MS. LORD: The state that the
18 material -- the state that the material
19 was in when it was sitting on the site, we
20 did not find that it posed a risk to just
21 someone walking by the site --

22 (Court reporter informs speakers that
23 only one person may speak at a time).

24 MS. LORD: -- wet --

25 MR. KIEL: I know, when I talked to my

1 environmentalist who told me that he
2 wanted a thousand dollars a pop to test
3 this and needed eight -- I needed eight
4 samples. Where was I going to get \$8,000?

5 MS. LORD: I --

6 MS. HUBBARD: Let me first say that
7 one thing that we do is that people are
8 concerned about -- the material that is
9 outside the quarries and outside the
10 pipeline areas -- let me first say that
11 one thing that we hear is that people are
12 concerned about the material that is
13 outside the quarries and outside the
14 pipeline areas. And although we have
15 planned to address that --

16 (Court reporter informs speakers that
17 only one person may speak at a time).

18 MS. HUBBARD: -- will be looking. The
19 second thing is as far as the samples, any
20 samples, they need to be taken in a
21 certain method. They need to be put in
22 special vials. They need to be tested for
23 temperature so the analysis will be
24 valid. And that's why we -- we can't just
25 take necessarily those materials that you

1 have and send it out for testing, that
2 there's certain procedures we have to
3 follow to make sure the testing is valid
4 and if the contaminants we're looking at
5 or if contaminants that really came from
6 the site.

7 MR. RUNDELL: What she also means is
8 that when you take a sample out of the
9 ground, you -- in the process of it, there
10 are certain things that need to be done to
11 that sample to keep it from changing; so,
12 you don't want to affect the numbers.

13 MR. KIEL: I understand.

14 MR. RUNDELL: So, you know --

15 MR. KIEL: Yes.

16 MR. RUNDELL: So we can't sample your
17 stuff.

18 MR. KIEL: Oh.

19 MS. LORD: But we believe that the
20 stuff that you have is very similar to
21 everything else that we found.

22 (Court reporter informs speakers that
23 only one person may speak at a time).

24 MR. RUNDELL: We have sampled, and we
25 know what's at the site. We have plenty

1 of samples that were done in the
2 appropriate manner, so we know what's in
3 your sample.

4 MR. KIEL: Well --

5 MR. RUNDELL: But we just can't take
6 your sample and --

7 MR. KIEL: Did you not test O'Neil's
8 samples that he sent the other day when he
9 was over there drilling or taking samples
10 in the area near the pipeline between
11 Crater 2 and 3, the double ones over
12 there?

13 MS. LORD: We got their results, and
14 we will review them.

15 MR. KIEL: Did you test those?

16 MR. RUNDELL: They did.

17 MS. LORD: They did.

18 MR. KIEL: They did?

19 MS. LORD: Yes. But they used, you
20 know, the appropriate labs and go through
21 the appropriate procedures.

22 MR. KIEL: Why can't I get this help?
23 If this money's out there --

24 MR. RUNDELL: They did that.

25 MS. LORD: They did that on their

1 own. That is not EPA money.

2 MR. KIEL: Well, that's a developer.
3 They better be paying. They should be
4 paying.

5 (Court reporter informs speakers that
6 only one person may speak at a time).

7 MR. KIEL: I asked for the extension.

8 MR. HUDSON: I ask again that we have
9 a separate meeting. That will give the
10 others an opportunity --

11 MR. KIEL: Okay.

12 MR. HUDSON: -- to --

13 MR. KIEL: Yeah. Okay. That's one
14 reason I was stalling. I wanted to give
15 the other people an opportunity.

16 MR. HUDSON: I understand.

17 MR. KIEL: But I told you that I have
18 a big situation. I could be two more
19 hours.

20 MS. LORD: Okay.

21 Yes?

22 MR. TOMCHICK: (Inaudible).

23 (Court reporter informs speaker that
24 they must speak up).

25 MR. TOMCHICK: You talked about

1 trespassing. I do know that on weekends,
2 there's some kids in the neighborhood that
3 take their motor scooters and trail bikes
4 and so forth, but fencing it in isn't
5 going to do it. I'm not that stupid. I
6 know that. Can EPA or whoever owns this
7 put signs up there saying it's
8 contaminated ground, keep out?

9 MS. LORD: Yeah. I think we're --
10 we're going to discuss that. After --
11 after tonight, we will talk to the
12 responsibility parties and owners and see
13 what we can do about that.

14 MR. TOMCHICK: I also know, coming up
15 Philadelphia Avenue, to go out to
16 Renaissance, there is a sort of
17 semi-chain-link fence or --

18 MS. LORD: Right. That leads to
19 the --

20 MR. TOMCHICK: Yeah. It's down. Can
21 you put that up there so nobody goes in
22 there?

23 MS. LORD: I can talk to the --

24 MR. TOMCHICK: It says for emergency
25 vehicles and that's a crock, you know?

1 MS. LORD: Right. I can talk to the
2 owners about that. We will -- we will
3 discuss it. It's obvious to us now that
4 there is an issue with access to the site,
5 and we will follow-up with it.

6 MR. TOMCHICK: Okay. Thank you.

7 MS. LORD: Uh-huh? Yes?

8 MS. PUNNAN: My name is Patricia
9 Punnan and (inaudible).

10 (Court reporter informs speaker/s that
11 they must speak up).

12 MS. PUNNAN: And I -- I just wondered
13 why you waited so long, you know, to --
14 these developers are coming in,
15 interested, and you knew this -- this was
16 here. Why didn't --

17 MS. LORD: We have been investigated
18 it. It just --

19 MS. PUNNAN: Do you think our area is
20 safe? It just seems to me that our cancer
21 rate is climbing 'cause I've noticed, you
22 know -- because I've lived in the area so
23 long, a lot of people I knew have died of
24 cancer. And I'm wondering if there has
25 been any studies, or maybe there should be

1 because I know that young people
2 (inaudible) --

3 (Court reporter informs speaker that
4 they must speak up).

5 MS. LORD: Right. I -- I --

6 MS. PUNNAN: I'm wondering, you
7 know -- like I wonder if our soil should
8 be studied in Hughes Park and --

9 MS. LORD: I know that we discussed --
10 (Court reporter informs speakers that
11 only one person may speak at a time).

12 MS. LORD: Well, as far as we know,
13 there should be -- the soil contamination
14 from -- from the disposal should only
15 really be in the areas and in this area
16 (indicating). The groundwater
17 contamination has spread as we -- as we
18 showed you with the plume map. But as far
19 as we know, everyone is drinking public
20 water from the Upper Merion Reservoir, and
21 they're not drinking the water that comes
22 from beneath the ground because you would
23 need to have a private residential well
24 for that. And I know at -- at a previous
25 public availability session we spoke about

1 this, and we said that we haven't done any
2 testing down in that area. We don't have
3 reason to believe that the contamination
4 at the site would be causing those things
5 or is directly related -- related to
6 that. But we have the ATSDR, which is the
7 Agency for Toxic Substances and Disease
8 registry, who we work with. They have --
9 they did a report in the early '90s on the
10 possible health risks around the site, and
11 we've asked them to do another report.
12 They're going to start in the fall to --
13 to look at the surrounding areas. And
14 also, someone from the health department
15 was at a previous session, and she was
16 curious about looking into it too. So I
17 think people have become aware of it. As
18 far as we know, it -- it really shouldn't
19 have anything to do just with the site
20 because of the disposal only really
21 happened right in this area (indicating)
22 and along the pipeline.

23 Yes?

24 MR. WOROBEY: My name is Walter
25 Worobey -- spelled W-O-R-O-B-E-Y. Now,

1 back in the -- Quarry 4, now
2 inadvertently, there was a mistake, and
3 they (inaudible)

4 (Court reporter informs speakers that
5 they must speak up).

6 MR. WOROBEY: On Quarry 4 because they
7 couldn't figure out where the quarry
8 ends. Now, Quarry 1 and Quarry 2, now,
9 this building that's supposed to be built
10 between the two (inaudible) --

11 (Court reporter informs speaker that
12 they must speak up).

13 MR. WOROBEY: Now, how accurate is
14 your plan of where Quarry 1 ends?

15 MS. LORD: Well, this depiction is
16 very inaccurate. But in the remedial
17 investigation, they did do a study,
18 especially of Quarry 1. They did a -- was
19 it geophysics probe, or they took a --

20 MR. RUNDELL: We did, in and around
21 the different quarries, but if you look at
22 the -- the red outlines on this figure up
23 here (indicating), we also have a whole
24 series of historical photos, where you can
25 see the quarries, where you can see them

1 when they're full of liquid at different
2 times. I think they go back into the '40s
3 or even before. But there's a whole bunch
4 of them. And you can take those photos
5 and superimpose them on a map. And we
6 used that -- that becomes -- the photos to
7 come up with the outline. The outline
8 sort of did change some in time, but, you
9 know, by using the photos and (inaudible)

10 (Court reporter informs speaker that
11 they must speak up).

12 MR. RUNDELL: -- And some of them
13 turned out to be outside the quarries. We
14 were able to identify closely where Quarry
15 1 --

16 MS. LORD: But in terms of the
17 specifics of your question, as I said
18 before, if people are going to develop on
19 that property and it's on the superfund
20 site, anything they do needs to be in
21 accordance with what our clean-up plan
22 is. So if they were to build on Quarry 1
23 and 2 and our clean-up plan called for
24 something else and they weren't meeting
25 our standards, something would have to be

1 done with that, and they would be held
2 liable. And it's likely that they would
need to be removed or something would have
4 to change. So, it's kind of, we have
5 these -- we are pretty sure where the
6 boundaries are, but I -- I'm betting that
7 the developers are very aware of that and
8 they realize that anything they do that
9 would interfere with what the EPA remedy
10 is -- you know, would be going against the
11 grain and shouldn't happen.

12 And I think you've had your hand up
13 for awhile.

14 MR. SALOY: I would just like to know
15 why the site isn't fenced off yet? I work
16 for Henny (phonetic) Construction. We're
17 doing excavating on a superfund site and
18 have on numerous superfund sites.

19 Everyone I (inaudible) --

20 (Court reporter informs speaker that
21 they must speak up).

22 MR. SALOY: -- have been on were
23 fenced or... On top of that, there was a
24 security guard there at the entrance going
25 into the complex.

1 MS. LORD: Well, I -- it definitely
2 will be looked into. We discussed it a
3 lot tonight. And I realize that it is an
4 issue, and I can --

5 (Court reporter informs speakers that
6 only one person may speak at a time).

7 SALOY: My property butts up to this
8 area. There's a whole lot of children
9 playing back in there --

10 MS. LORD: Yes. We are -- we are now
11 aware of that. And I also want to
12 reiterate that the risks that we found on
13 the site, we didn't immediately think that
14 it needed to be fenced off because of the
15 risk of the walking on the site. You
16 know, we walked on it today. We didn't
17 find the risk. But now, we realize that
18 it is a problem.

19 Yes?

20 MR. STELOR: I used to go back there,
21 hunting, you know, years ago.

22 (Court reporter informs speakers that
23 only one person may speak at a time).

24 MS. LORD: Right.

25 MR. STELOR: I know the smell of that

1 water, you know. And I just want to say
2 that going across Flint Hill Road, they
3 put a new bridge in down from the junk
4 yard. They put a new bridge in there, and
5 I still walk around a lot of times with my
6 dog, you know. After it rains, like
7 (inaudible) --

8 (Court reporter informs speaker that
9 they must speak up).

10 MR. STELOR: I can smell that water
11 running down that, you know, that same
12 smell, so somehow below that pipeline that
13 used to be there, and you can still smell
14 it back there.

15 MS. LORD: Right. In the --

16 MR. STELOR: Down in the -- where the
17 junk yard is.

18 MS. LORD: Right.

19 MR. STELOR: You need to check that
20 out.

21 MS. LORD: Is that where we found that
22 portion?

23 MR. RUNDELL: Yeah. We did -- when
24 they were putting that new culvert in,
25 they did come across a piece of the

1 pipeline that was cut off there, and it
2 was contaminated soil in the area that
3 they were excavating. And they -- the
4 consultant who was working with the
5 responsibility parties came out and
6 removed that. But that's part of our
7 concern about where the rest the pipeline
8 is.

9 MR. STELOR: Yeah.

10 MR. RUNDELL: We did find the pipeline
11 there, contamination there. But the
12 question is, is there more in that general
13 area? That's one of the things we'll be
14 investigating.

15 MR. STELOR: That smell's there. When
16 I walk passed it, I recognize it real
17 quick.

18 MR. RUNDELL: If it's there --

19 (Court reporter informs speakers that
20 only one person may speak at a time).

21 MR. RUNDELL: -- smell it.

22 MS. LORD: Right.

23 The gentleman in the back.

24 MR. STELOR: (Inaudible).

25 (Court reporter informs speaker that

1 they must speak up).

2 MR. STELOR: Oil spills from the junk
3 yard that run down in that area. The
4 township will (inaudible) because they --

5 (Court reporter informs speakers that
6 only one person may speak at a time).

7 MS. LORD: Yes?

8 MS. DINENNO: My name is Linda
9 Dinenno -- D I N E N N O. I live in this
10 section of Upper Merion. Earlier, you had
11 that map and you were showing the
12 direction (inaudible) --

13 (Court reporter informs speaker/s that
14 they must speak up).

15 MS. DINENNO: Could you put that map
16 on that --

17 MS. LORD: The plume?

18 MS. DINENNO: And --

19 (Court reporter informs speakers that
20 only one person may speak at a time).

21 MS. DINENNO: The plume and the --

22 MS. LORD: You mean you want me to put
23 the pen on and show where --

24 MS. DINENNO: Yes.

25 MS. LORD: Yes. It's like in that

1 direction.

2 MS. DINENNO: Now, the end of your
3 pen --

4 MS. LORD: That's Swedeland. I think
5 that's the Swedeland section.

6 MS. DINENNO: I believe that is. In
7 the event of something such as a hundred
8 year flood, how much of -- of, you know,
9 water runoff --

10 (Court reporter informs speakers that
11 only one person may speak at a time).

12 MS. LORD: We don't -- we don't have
13 that (addressing Mr. Rundell.)

14 MS. DINENNO: -- coal tar towards the
15 river?

16 MR. RUNDELL: There's -- there's a
17 part of your question, I think, if I
18 understand it correctly, the -- the plume
19 that we're referring to and the
20 groundwater flow direction, that's more or
21 less at the orientation of her pen.

22 MS. DINENNO: Yes.

23 MR. RUNDELL: That's -- there's a
24 difference between groundwater and surface
25 water. So, the groundwater -- if you have

1 the --

2 MS. LORD: Yeah, I'm trying to...

3 MR. RUNDELL: That will show you
4 pretty much the extent of the groundwater
5 contamination which goes out --

6 MS. LORD: This is --

7 MR. RUNDELL: Do you see the Triad
8 Building? That's -- and then all those
9 black dots are monitoring wells. So the
10 wells that are outside of that colored
11 area have no contamination in there or
12 very, very little. So we know the extent
13 of the groundwater contamination. It
14 doesn't go down anywhere near the tip of
15 her pen. It just goes -- just passed the
16 Triad Building to that road, Renaissance
17 Boulevard.

18 And as far as the surface water, most
19 of the contamination we found is in the
20 subsurface. There is some bits of
21 contamination in the surface, in the soil
22 and in the tar, like that, but then, the
23 tar doesn't -- it won't start rolling down
24 the hill. It doesn't rain that hard.

25 MS. DINENNO: Even in an unusual

1 occurrence?

2 MR. RUNDELL: Yes.

3 (Court reporter informs speakers that
4 only one person may speak at a time).

5 MS. DINENNO: Okay.

6 MR. RUNDELL: Well, we did see --
7 there is a lot of overland flow out
8 there. When it rains, you can see --

9 (Court reporter informs speakers that
10 only one person may speak at a time).

11 MS. DINENNO: -- that entire area -- I
12 don't know how much geological survey
13 you've done. I don't know for sure. But
14 is that limestone in that area?

15 MR. RUNDELL: Yes. We have -- when we
16 installed our wells, we looked at the
17 cuttings as the well goes down --

18 MS. DINENNO: Uh-huh.

19 MR. RUNDELL: -- and we -- we
20 determined what kind of rock it is. From
21 the older geological maps, it was -- it
22 was mapped as all limestone and rocks
23 similar to limestone. When we got out
24 there and actually drilled our wells, we
25 found that it was different. And we ran a

1 seismic survey through there, and there
2 is -- there's basically two types of
3 rocks. There is the Wissahickon shifts
4 that's further to the south. It --
5 there's a rust fault that runs up there.
6 And so there is the dolomite limestone and
7 then, there's shifts in the same area. So
8 some of the wells up there are in shifts,
9 and some of them are in limestone. So
10 there's really two types.

11 MS. LORD: Yes?

12 MR. MILLER: My name is Craig Miller.
13 This low-permeability cap you're talking
14 about, in certain terms, is that a parking
15 lot?

16 MS. LORD: No.

17 MR. MILLER: It said in here
18 "asphalt."

19 MS. LORD: In our proposed plan?

20 MR. MILLER: Yeah. I know I saw that.

21 MS. LORD: What our proposed plan says
22 is that it will be a low-permeability,
23 multimedia cap. It's under S4, which is
24 on page 13 -- or in mine, it's on page
25 13. The -- the low-permeability cap is

1 usually a series of different liners.
2 It's a low-permeability clay and sand and
3 then a geotextile liner, and a series of
4 liners to make sure that the permeability
5 of the cap is a lot lower than the
6 permeability of the soils and --
7 beneath -- beneath the cap. What this
8 says is that an asphalt cap could be added
9 in the future.

10 MR. MILLER: It could be used as a
11 parking lot?

12 MS. LORD: It could be used as a
13 parking lot, but the parking lot would
14 have to meet the same low permeability
15 standards.

16 MR. MILLER: So if O'Neil develops
17 this property, their parking lot will be
18 on top of the crater?

19 MS. LORD: If -- if they developed it
20 in a way that went along with our remedy
21 and what we wanted them to do and meet all
22 the standards that we set forth in the
23 Record of Decision.

24 MR. MILLER: Wouldn't it make sense
25 for them to like move forward with their

1 development?

2 MS. LORD: This -- it's not an EPA
3 decision. That is -- that's not an EPA
4 decision. That's between O'Neil and the
5 township.

6 Yes?

7 MS. ZUEHL: My name's Connie Zuehl --
8 Z-U-E-H-L. And I'm on the EAP Council.
9 Would be explain how you would get back to
10 (inaudible) and the water for the clean --

11 (Court reporter informs speaker that
12 they must speak up).

13 MS. LORD: You mean how we would do
14 what we propose to do?

15 MS. ZUEHL: Yes.

16 MS. LORD: I can tell you briefly we
17 have a whole design phase that we need to
18 go in to determine that and also, I'm not
19 a construction expert; so, I can't give
20 you the specifics of how to do that. I'm
21 not exactly really sure what you want me
22 to say. You mean how would we --

23 (Court reporter informs speakers that
24 only one person may speak at a time).

25 MS. LORD: Oh, I don't know. That

1 would be determined in the design. You
2 would likely use access roads that are
3 still -- the former access roads, I'm
4 assuming. It would be a lot easier to use
5 those. There's old access roads that used
6 to -- that specifically ran to Quarry 3,
7 but there's one that kind of runs through
8 the site. So we would probably use those,
9 you know, depending on what's there at the
10 time.

11 MS. ZUEHL: Okay. Next, I had talked
12 to you at a previous meeting about the
13 population study, and I would agree that
14 that needs to be done (inaudible) --
15 (Court reporter informs speaker that they
16 must speak up).

17 MS. ZUEHL: And I agree with the
18 extension, maybe not a 90-day -- longer
19 period to comment, but right now -- and I
20 understand you have rules that you have 30
21 days, but two weeks have already gone by.
22 And I also understand that you have
23 meetings, but for some of these people,
24 this is their first meeting, and I think
25 that maybe (inaudible) --

1 (Court reporter informs speakers that
2 only one person may speak at a time).

3 MS. LORD: Right. We will consider
4 it. But I'd also like to say, we have
5 this meeting in the middle of the comment
6 period because we put the -- the proposed
7 plan into the administrative record, and
8 we sent a copy to the township. And it
9 was on our web site. So we also wanted to
10 give people a chance to read it before we
11 have a meeting. That's why we don't have
12 the meeting right away. But we will
13 consider extending it.

14 MS. ZUEHL: And with the contamination
15 on the property -- 'cause other people
16 have seen more contamination than
17 obviously the surface levels and away from
18 the immediate property, with the proposed
19 owners -- or owners of the land, do they
20 notify you that now that they -- now they
21 know they have a problem, or they didn't
22 know it, but now they know it?

23 MS. LORD: Yes, they have notified
24 us. In both cases, Liberty and O'Neil,
25 when they have found contamination at the

1 site, they have notified us.

2 SPEAKER: Okay. Thank you.

3 MS. LORD: Yes?

4 MS. OBER: My name's Barbara Ober. I
5 live in Swedeland. Last September, we had
6 one of those storms, and it was a beauty.
7 (Court reporter informs speaker that they
8 must speak up).

9 MS. OBER: It was a beauty. And the
10 water ran from where you're saying, down
11 the trail into those homes those homes
12 down there that were right where the new
13 bridge is. Not one home, several homes
14 were hit. Now, two days later, after the
15 water had receded -- the gentleman that
16 was sitting here about the smell -- that
17 smell was there. They closed both exits
18 of Glen Hill Road. Later that morning, I
19 saw three men in metallic suits, covered
20 from head to toe. Can you tell me what
21 they were doing down there if there was
22 nothing there?

23 MS. LORD: I can say that we haven't
24 said there's nothing there. I said that
25 there's no site-related -- nothing that we

1 know is related to the site there except
2 possibly the pipeline. I don't know what
3 those men were doing there 'cause I wasn't
4 aware that that happened.

5 MS. OBER: They were there every day
6 because the police closed the road.

7 MS. LORD: That would be something
8 that the township would know. That --
9 that's -- EPA did not do that. But I'd
10 also like to say I think what you're
11 probably asking is -- did contamination
12 from the site get carried by that water
13 down into -- into --

14 MS. OBER: That smell --

15 MS. LORD: That would be something the
16 township would know. That's not -- EPA
17 did not do that. But I'd also like to say
18 I think what you're probably asking is,
19 did contamination from the site go down
20 into --

21 MS. OBER: When they came out of the
22 pit -- that smell, you don't distinguish
23 that smell from gas or oil. All right.
24 Everybody thought it was gas and oil
flowing down. No, it wasn't.

1 MS. LORD: I -- I'm not saying it
2 wasn't. And it could be from other
3 places. I don't think it could be from
4 Quarry 3 because Quarry is about 65 feet
5 below the surface. So the contamination
6 of Quarry 3 would have had to fill up with
7 water, take the contamination and then
8 flow down. But there is other
9 contamination -- there might be other
10 contamination, not from the site, but
11 there might be other areas that, you know,
12 are related to the Crater Resources
13 superfund. I can't tell you if that is
14 the case.

15 MS. OBER: Well, if you know there is
16 contamination, then why would you allow
17 anybody to put a building anywhere around
18 it?

19 MS. LORD: We have not told anyone
20 that. We can't -- we do not make that
21 decision.

22 MS. OBER: Isn't it in the law or --

23 (Court reporter informs speakers that
24 only one person may speak at a time).

25 MS. LORD: It is not in the law. The

1 township makes that decision. It is not
2 our property, and we cannot make that
3 decision.

4 MS. OBER: So, in other words, you
5 can't tell them don't let them build?

6 MS. LORD: No. We have kept the
7 township aware of what is there, and we
8 have talked to them. But EPA cannot make
9 that decision.

10 MS. OBER: Well, the problem I'm
11 having is tell me who is responsible for
12 these home if something should happen
13 around these homes to be built.

14 MS. LORD: But this is --

15 MS. OBER: I'm not going --

16 MS. LORD: Right. But this is -- this
17 is not something that the EPA can do.

18 MS. OBER: Can't you recommend
19 though? Can't you?

20 MS. LORD: We have talked to the
21 Environmental Advisory Council on a few
22 occasions. We've talked to the township
23 supervisors. They are aware of what is
24 there. We couldn't make any
25 recommendation until we had our proposed

1 plan released. Now, we have our proposed
2 plan released, and we said that the
3 township can make a recommendation based
4 on what we have there if they think it is
5 something -- you know, if the buildings
6 can go up with what we presented for our
7 remedy at the site. But it is not our
8 decision.

9 MS. OBER: But you can recommend,
10 can't you.

11 MS. LORD: I don't know, can we
12 recommend?

13 MR. RUNDELL: (Moved head from side to
14 side).

15 MS. LORD: No. It is not our
16 authority to recommend. It is -- a
17 development of a township is between the
18 township and the developers and the
19 residents. That is not an EPA decision.
20 EPA has kept everyone aware of what is
21 there. The township knows.

22 Yes?

23 MR. LONCHAR: I think I started this
24 crap along time ago when it ran out of the
25 pit, when we had the hurricane. Hurricane

1 Floyd made it all run down Swedeland.

2 I know, you know. I know the smell. I

3 lived there all my life. From the

4 developer having the ground now for ten

5 years or more, knowing the problem for ten

6 years or more, okay, knowing he -- and I

7 don't have a problem with the developer

8 buying a pig in a poke, and I don't have a

9 problem with him having a clean piece of

10 ground that he says is clean. I have the

11 problem with the stuff getting out of it.

12 It's a volcano. It's not as if it was a

13 chemical scene. It's a volcano. When it

14 fills up with water, it runs out.

15 Nobody's telling me how they're doing it.

16 Now, all of a sudden, the EPA is telling

17 me it's the township's problem, after ten

18 years, that it's not the developer's

19 problem anymore. It's the township's

20 problem because your someone is saying you

21 should take the P out of protection

22 because that's not what you do.

23 MS. LORD: Let me -- let me.

24 MR. LONCHAR: You don't -- you

25 don't -- I dealt with the DEP. That's

1 another outfit that wasted my time. You
2 know what the guy told me when they
3 were -- wanted to dig 200 feet more in a
4 quarry, he says, well, the further they go
5 down, the further away it'll be from your
6 house. That's what he told me. Now --
7 but, you know, all of a sudden, and I'm
8 hearing you tell me that we informed the
9 township and it's up to the township now.
10 It's not up to the developer that had been
11 sitting on it for ten years. No, you
12 don't understand. I'm a taxpayer here,
13 and I don't want my township paying for
14 this developer's problem.

15 MS. LORD: Well, let me address --

16 MR. LONCHAR: If something goes
17 wrong -- no -- if something goes wrong --
18 first of all, I don't think they told any
19 employee that works in that neighborhood
20 or the people that live there that came in
21 that didn't know about it, that it was
22 there. There's a lot of people in Hughes
23 Park that never knew there was a pit
24 there. And as long as they didn't let
25 their dog get loose, it didn't get killed

1 in there. They never knew it was there.
2 So, right off the bat, there was no
3 declaration of yeah, we got a love canal.

4 (Laughter)

5 MR. LONCHAR: Nobody said that, you
6 know. Now, there's a meeting Thursday.
7 There's a meeting. And I don't know how
8 the EPA is going to get involved.

9 MS. LORD: The EPA --

10 MR. LONCHAR: But I would like the EPA
11 to get some type of -- take the P and make
12 protection back in it.

13 MS. LORD: Well -- let me --

14 MR. LONCHAR: Come to -- come to the
15 hearing Thursday, have a representative
16 from the EPA there, not just tell our
17 environmental board and have them there.
18 I don't like this passing the buck crap.
19 I did it with the DEP, and I don't like
20 doing it with the EPA.

21 MS. LORD: Let me tell you, you're not
22 doing it with the EPA. The entire reason
23 we're having this meeting is to tell you
24 how we're proposing to clean up this
25 site. So I am not saying that we're not

1 going to deal with the contamination. The
2 whole first part of this meeting was me
3 telling you that we want to remove
4 everything in Quarry 3, which you referred
5 to as the pit, and then prevent
6 groundwater from getting into the other
7 quarry areas to take the contamination
8 away. I also did not say it was only the
9 township's problem. It is also the
10 developer's problem. But it is not EPA
11 authority to make a decision on that. We
12 have done what we can to keep the township
13 and the developer apprised of what is
14 going on here, but we can't make a
15 decision on that. But I also want to,
16 once again reiterate the reason that we're
17 here is to show you how we are proposing
18 to clean up the site. I am not here to
19 say this is what we have, and it's just
20 going to stay here. We are here to tell
21 you that this is how we want to clean up
22 the site. And part of what we are
23 proposing is to remove all the
24 contamination in Quarry 3, which is what
25 you referred to as the pit.

1 MR. LONCHAR: And that is fine and
2 dandy. I -- I wanted -- it should have
3 been cleaned up ten years ago when it was
4 declared a superfund site. But in the
5 meantime, we're having that hearing on --
6 on the property. And this -- this
7 continues to the 29th, this Thursday.
8 Okay? Now, the township has to let these
9 people know, oh, is it safe or not safe to
10 build there on Thursday if they -- if they
11 decide to do it on Thursday, or the
12 hearing could go another month. I don't
13 know how long the hearings are going to
14 go. But, you know, you're talking maybe a
15 year before you even decide what you're
16 going to do here.

17 MS. LORD: No. We have --

18 MR. LONCHAR: Did you say 2001?

19 MS. LORD: We have proposed this.
20 When the comment period is over, we will
21 issue the Record of Decision, which is the
22 decision of how we are going to clean this
23 up.

24 MR. LONCHAR: Okay. But now --

25 MS. LORD: So it's not going to be a

1 year.

2 MR. LONCHAR: What's that going to do,
3 you know, to -- to the township as far
4 as -- the -- if they say no, you can't
5 build here, okay, and Mr. O'Neil says,
6 well, my ground's clean. If he goes to
7 the courthouse; the courthouse goes this
8 ground's clean; you got to give it to
9 him. We've been down that road a hundred
10 times here in this township. And this is
11 what I want to know, how -- what's going
12 to happen Thursday? I don't know what's
13 going to happen Thursday. But I don't
14 like the idea, you know, our supervisors,
15 after ten years, have to make the decision
16 on whether the ground is clean or it's not
17 clean or can he build or can't he build?

18 MS. LORD: That's --

19 MR. LONCHAR: Because of -- because of
20 this site that they had -- that they sat
21 on for ten years or more. You know, why
22 is it in our park now? I mean, it
23 shouldn't be in the taxpayer's ballpark.
24 I mean, that's crazy.

25 MS. LORD: Well, that's how it --

1 that's how it --

2 MR. LONCHAR: No, I understand where
3 you're coming from.

4 MS. LORD: We have done what we can to
5 let everyone know what is there. We have
6 reports in the township building. They
7 know. It is not EPA's authority to make
8 that decision. It's -- it's not going to
9 be -- it's not EPA's authority. We can't
10 make that decision. All we can do is keep
11 everyone aware of what is here.

12 MR. LONCHAR: Okay. I mean, but you
13 have a liability factor that's somebody's
14 going to be liable, and I don't want my
15 township being liable for it. I just
16 don't. As a taxpayer, I don't think I
17 should have to pay for Mary Jane's kid
18 that fell in the pit or Mary Jane breathed
19 the air from it and got cancer. And now,
20 because I said -- our township said, go
21 ahead and build there, you know.

22 MS. LORD: The township knows what is
23 there. We have done what we can to keep
24 them aware of what is there. When O'Neil
25 found a part of a pipeline and

1 contamination, they went and sampled it
2 and they will remove it before they build
3 there. Everyone is trying to make sure
4 that that area is clean. But it is not
5 EPA's decision. We can't make that
6 decision on whatever properties are going
7 to be built.

8 MR. LONCHAR: Well, that -- that -- I
9 don't have a problem with them building.
10 I don't have a problem with them building
11 anything here.

12 MS. LORD: Uh-huh.

13 MR. LONCHAR: I just want it cleaned
14 up.

15 MS. LORD: And that's why we are here
16 to --

17 MR. LONCHAR: But I don't want them
18 building on something that can't be
19 cleaned up, either. You know, and I don't
20 want them to just go ahead and build and
21 then, two years from now, they're going to
22 say, well, you know, we'll get around to
23 clean this all up.

24 MS. LORD: They know what our plan --
25 what our proposed plan is. The township

1 knows what our proposed plan is, and I'm
2 sure that they will act within our
3 proposed plan or -- if they do anything
4 that would make them liable, that would be
5 dumb on their part. I don't think they're
6 going to do that.

7 MR. LONCHAR: So, basically, the EPA
8 is saying, as the DEP is, it's just an
9 informational body, it can't -- it doesn't
10 have any --

11 MS. LORD: The EPA has overseen this
12 investigation for ten years, and now we
13 are proposing a cleanup. You can have
14 your own opinions, but I'm going to ask
15 someone else to move on.

16 MRS. GARVEY: Mrs. Garvey --
17 G-A-R-V-E-Y. I've lived on Crooked Lane
18 34 years. And you mentioned earlier, were
19 traces of contaminants found in our local
20 reservoir? You said that?

21 MS. LORD: (Moved head up and down).
22 Uh-huh.

23 MRS. GARVEY: Okay. So -- and we have
24 water -- piped in water; so, it shouldn't
be a problem. But the problem is when you

1 get flooded all the time in Hughes Park,
2 like I said. I believe that runoff, if it
3 travelled as far as the reservoir, is it
4 traveling through our homes? I think the
5 Hughes Park area, the ground should be
6 tested in our area. If it can go as far
7 as the reservoir, certainly, it could come
8 through Coppermill Station, right through
9 the Hughes Park area. Our ground should
10 be tested.

11 MS. LORD: The contaminants that were
12 found in the reservoir, that was in the
13 '70s, and I -- I can't tell you if it was
14 conclusive if -- if it was from the site.
15 That is just the reason why we started
16 looking at the site. We started looking
17 in the area to see, but --

18 MRS. GARVEY: I was told -- I was told
19 it was from the site, traces. They traced
20 it back the underground lines and right
21 back into the acid pit area.

22 MS. LORD: I don't know if that -- if
23 the --

24 MR. RUNDELL: I think they did find
25 it -- I think there was contamination

1 found in the reservoir and they looked in
2 the areas and found some other superfund
3 sites. And I think there was a monitoring
4 well --

5 (Court reporter informs speakers that
6 only one person may speak at a time).

7 MS. LORD: There's --

8 MR. RUNDELL: But I don't think it was
9 the site-related contaminants from the --
10 they had a separate problem. One -- the
11 primary goals of our investigation was to
12 determine whether -- if that groundwater
13 contamination from the site was heading
14 toward or going to the Upper Merion
15 Reservoir. That's our main waterline.
16 And we didn't find that to be the case.
17 We were very concerned about that at the
18 very beginning.

19 MS. LORD: But I'd also like to
20 reiterate that we do have a contract with
21 the Agency for Toxic Substances and
22 Disease Registry to do another health
23 assessment of the area. So they are going
24 to do that.

25 Yes?

1 MS. LECHTER: I had another question.
2 I had another question about your report.
3 On page 5, you refer to (inaudible)

4 (Court reporter informs speaker that
5 they must speak up).

6 MS. LORD: Yeah.

7 MS. LECHTER: Do you have that? And
8 also, I guess the one thing that concerns
9 me from what I've heard tonight is with
10 what degree of certainty do you know where
11 the site was and the pipeline and where
12 were they removed and where were they
13 ruptured?

14 MS. LORD: That is why we have that
15 proposed, to continue investigating it.
16 We know where the route was from the Alan
17 Wood Steel plant to the site, but as far
18 as the EPA knows, we don't think the
19 entire pipeline has ever been
20 investigated. And that's what we are
21 calling for.

22 MS. LECHTER: Okay. So I guess my
23 follow-up question to that is how do you
24 come up with a remedial plan and ask
25 people to comment on it if we're not sure,

1 you know, of the totality of the
2 situation?

3 MS. LORD: Well, that's the whole
4 reason we put it in there is because we
5 don't know the totality of the situation.
6 If we had known it, we would have --

7 MS. LECHTER: And then how do you --

8 MS. LORD: -- would have made a
9 determination.

10 MS. LECHTER: Shouldn't there then
11 perhaps be more investigation before you
12 ask people to comment and make -- really
13 make a decision that may affect people's
14 lives? Shouldn't you then be doing more
15 to get to the totality or as close to the
16 totality as you can?

17 MS. HUBBARD: Are you talking about
18 just the pipeline, or are you saying that
19 none of the action should occur until the
20 pipeline --

21 MS. LECHTER: Well, what I'm saying is
22 it seems resoundingly clear that the
23 totality of the pipeline is not known.
24 And that would seem to me to be ground
25 zero. If you know the pipeline was

1 transmitting this stuff, find it. I mean,
2 that -- how can you --

3 MS. LORD: Well --

4 MS. LECHTER: I mean you're going to
5 know pretty much the contamination once
6 you find the entire pipeline. So it would
7 seem to me you don't have to guess, you
8 don't have to wonder. Find the pipeline
9 and then test along the pipeline.

10 MS. HUBBARD: And that's what we're
11 proposing to do.

12 MS. LORD: And I can tell you that
13 this has been the site -- the remedial
14 investigation was paid for and sponsored
15 by the responsible parties and then EPA
16 oversaw that.

17 MS. LECHTER: What does that mean
18 though?

19 MS. LORD: I --

20 MS. LECHTER: What does that mean if
21 we're --

22 MS. LORD: I --

23 (Court reporter informs speakers that only
24 one person may speak at a time).

25 MS. LECHTER: -- The pipeline since

1 90 -- 89 and 90, ten years after you
2 thought you knew where the site was, how
3 responsible were the responsible parties?

4 MS. LORD: Well, I -- I was going to
5 tell you that. They originally proposed
6 to EPA that that pipeline was not there
7 anymore, that it had been entirely
8 removed. We have gone back and forth with
9 them over whether or not it has been
10 removed or if it hasn't. And when we
11 started finding sections of it through
12 different areas, we realized that parts of
13 the pipeline were still there, and that
14 needed to be investigated. That's why
15 that whole portion was not included in all
16 of those reports. The other reason is
17 when the site was first identified, it was
18 identified as these quarries, because as
19 far as we knew, in the beginning, it --
20 the quarries are where the contamination
21 existed. Then we started to look further
22 and saw that maybe the pipeline was also
23 part of the site. That's why we didn't
24 start from the pipeline. We started from
25 the quarries and worked back. That's why

1 we're requesting now that the pipeline be
2 investigated further.

3 MS. LECHTER: Okay. So I guess what
4 I'm saying, how can you make a decision
5 until you know how the pipeline --

6 MS. LORD: That's why we haven't made
7 a decision. We've made a decision -- we
8 offered a decision on the -- on the
9 quarries, but we still need to look into
10 the pipeline.

11 MR. RUNDELL: As far as the pipeline
12 goes, we have investigated parts of it.
13 We know what the contaminant was that was
14 transported in the pipeline. We know what
15 levels constitute a risk. And so, we have
16 a map to show where the pipeline went.
17 And you can walk -- you can basically walk
18 it, and you can see the trail where the
19 pipeline, at one point, was. So what we
20 are proposing to do is we go basically out
21 there with a backhoe and dig and see if
22 the pipeline is there. If it is there,
23 take samples of the soil, determine if
24 those left a soil concentration that poses
25 a risk. If they pose a risk, we'll take

1 it off the dirt.

2 MS. LECHTER: Have you investigated
3 the areas the other people are talking
4 about where they have seen the coal and
5 they have smelled the smells that they can
6 identify, and have seen discolored earth?
7 Has that been investigated?

8 MR. RUNDELL: The comments earlier
9 where they smelled the smells when it--

10 MS. LECHTER: When the --

11 MR. RUNDELL: -- rains, they smell the
12 smells, down near --

13 (Court reporter informs speakers that only
14 one person may speak at a time).

15 MR. RUNDELL: Depending where the
16 pipeline goes, that's the area we'll be
17 looking to see if there's more
18 contamination that's left in place along
19 that pipeline.

20 MS. LECHTER: They've been talking
21 about this for a long time. It would seem
22 to me that that was an area that should be
23 investigated as an ancillary problem.

24 MR. RUNDELL: And that's what we're
25 saying we're going to do. And we've been

1 discussing this for years, trying to get
2 people to do that.

3 MS. LORD: And to answer your first
4 question about the figures, I -- I don't
5 know why they were not included in that
6 version of the proposed plan. Figure 1 is
7 just where the site location was, where I
8 showed you in the first slide.

9 MS. LECHTER: Do you have a handout we
10 could have?

11 MS. LORD: Not right now, I don't, but
12 that -- that's Figure 1 (indicating).

13 Bill, do you have a copy of the
14 proposed plan?

15 MR. HUDSON: That has the map?

16 MS. LORD: Yeah.

17 MR. HUDSON: Let me check.

18 MS. LORD: Figure 2 is basically just
19 this map. It's the one I had up before
20 with the -- the locations and... And
21 Figure 3 is just where the monitoring
22 wells are located.

23 But I also want to say that the
24 proposed plan is on the web site. We'll
25 get back to you on how we can get you the

1 figures. I don't know why they were left
2 out of the proposed plan.

3 MS. LECHTER: Okay. I would request
4 that as a part of the remedial action, you
5 investigate what the citizens here have
6 told you tonight, the real problems
7 they're having with their homes.

8 MS. LORD: I have. I have. I said
9 that we have -- I said that we're having
10 ATSDR -- that agency is going to do a
11 health assessment report of the
12 surrounding area. I also know that the
13 people from the Department of Health have
14 been at other public availability sessions
15 and were interested in it. But I just
16 want to say when EPA was doing our
17 remedial investigation, we were
18 concentrating on the Crater Resources
19 site. This meeting was to discuss the
20 Crater Resources site. And we weren't
21 aware of these other things that were
22 going on until, you know, we started
23 coming out and talking to the public.

24 Yes?

25 MR. LUCHIE: Lewis Luchie --

1 L-U-C-H-I-E, a member of the Environmental
2 Advisory Council. I heard you mention
3 ATSDR. They've been there before. Do you
4 have do have a report at the present
5 time?

6 MS. LORD: They already did a
7 preliminary report in the early '90s.
8 That is on our web site.

9 Now, we're going to have them come
10 back and do another report with the
11 information that we have now.

12 MR. LUCHIE: Okay. Has this been made
13 available to the township?

14 MS. LORD: The first -- the
15 preliminary report?

16 MR. LUCHIE: Yes.

17 MS. LORD: Yes. It's in the
18 administrative record. It's also on our
19 web site. We've had it for a long time.
20 Yes?

21 MR. STELOR: Let's just correct --
22 we're talking about two culverts. There's
23 two different culverts. There's one where
24 the pipeline used to run. There was a new
25 culvert put in there.

1 MS. LORD: The Flint Hill Road.

2 Has the township been made aware of
the smell?

4 MR. STELOR: I don't know. They might
5 be confused because a creek on this side
6 and a creek on this side (indicating).
7 And for years, we have a problem with
8 water on one side, and Liberty fixed it.
9 Now, we'd like them to fix the other side
10 where the pit ran down the last time.
11 That's where the smell is coming from.
12 It's -- it's actually on the east side.

13 MS. LORD: So, it's not the --

14 MR. STELOR: It's not where the
15 pipeline was. It's -- it's where the
16 water came down in Floyd.

17 MS. LORD: Okay.

18 MR. STELOR: That's where the smell
19 basically is.

20 MS. LORD: Has the township been made
21 aware of that -- of that smell in that
22 area.

23 MR. STELOR: I don't know if they're
24 confused. They might be confused because
that house (inaudible) --

1 (Court reporter informs speakers that
2 only one person may speak at a time.)

3 MR. STELOR: If they'd go in that
4 house, they'd probably find a lot of good
5 stuff in there.

6 MS. LORD: Okay.

7 MR. MANCINI: John Mancini, Crooked
8 Lane. How long did Liberty -- how long
9 did they work on that area before they
10 contacted the EPA?

11 MS. LORD: On the pipeline?

12 MR. MANCINI: Well, you said --

13 MS. LORD: You mean the --

14 MR. MANCINI: You said that O'Neil and
15 Liberty contacted the EPA. Well, how long
16 were they working on that site before they
17 did that?

18 MS. LORD: I don't know if I can give
19 you a specific year. But when they came
20 across the pipeline on their properties,
21 they reported to EPA that they found it.

22 MR. MANCINI: Is -- is the dust
23 contaminated also because there's
24 construction vehicles?

25 MS. LORD: No. As far as we know,

1 nothing that has gone on on the site has
2 stirred up any of the contamination. When
3 Liberty did their construction, they just
4 added soil to the area. They never dug
5 down into the quarry. So, as far as we
6 know, none of the contamination has been
7 disturbed.

8 MR. MANCINI: Well, that soil is
9 contaminated, and there's construction
10 vehicles going back and forth and the
11 dust. I mean, it's contaminated soil.

12 MS. LORD: But there -- the majority
13 of the contaminated soil is within the
14 quarry, and they'd have to dig down into
15 the quarry to hit that contamination and
16 then bring it into the air. The soil they
17 were driving on, as far as we know, was
18 clean.

19 MR. HUDSON: We only have about four
20 minutes left. Can I get an idea how many
21 more people have questions? Just two. So
22 if we could just give a couple minutes
23 apiece.

24 MS. LORD: Okay. Go ahead.

25 MR. KIEL: Has my 90-day extension

1 been granted?

2 MS. LORD: We're going to consider
3 it. We'll let you know. 30? Okay.
4 Automatically, now, we can -- we'll give
5 you 60 from June 16th. So the end of the
6 comment period would be August 15th.

7 MR. KIEL: It will be extended?

8 MS. LORD: To August 15th, for now.
9 We'll consider additional time.

10 Yeah? Okay. Go ahead.

11 MR. FISHER: Yes. Howard Fisher --
12 F-I-S-H-E-R. The quarry -- did I hear you
13 correctly when you said the quarry is 65
14 feet deep?

15 MS. LORD: It goes up on it's western
16 end. It goes down to depths of 65.

17 MR. FISHER: Down 65 feet. And the
18 quarry is contaminated down to a level of
19 65 feet is what you're assuming?

20 MS. LORD: The quarry is still open.
21 It's an open area. So the depths that we
22 quoted are from the top of the quarry.

23 MR. FISHER: And the contamination is
24 at least 65 feet; so, you know, there's 65
25 feet there.

1 MS. LORD: Well, there's air
2 (indicating). It --

3 MR. FISHER: Yeah. I understand.

4 MS. LORD: And then -- then the
5 contamination is below that.

6 MR. FISHER: At 65 feet, that
7 contamination and it filling up with water
8 and it forcing itself out into the layers
9 of rock, is there any idea other than the
10 map you showed earlier of what that
11 contamination level is away from the
12 quarry, other than what I saw, the black
13 dots going the other way, coming toward
14 Crooked Lane?

15 MS. LORD: You mean has the
16 contamination in the quarry migrated?

17 MR. FISHER: Migrated toward Crooked
18 Lane.

19 MS. LORD: In the soils?

20 MR. FISHER: In the soil, at 65 feet,
21 70 feet, 80 feet, 85 feet. There is a lot
22 of water in this area. I don't -- the one
23 thing I -- you know, I heard people talk
24 about the water. I don't think you're
25 understanding how much water is on top of

1 that hill.

2 MS. LORD: Has runoff, yes, we've
3 heard.

4 MR. FISHER: And then, you know, you
5 said, you walk around, and you think
6 you're on top of a hill, you think you're
7 in a flood a lot of times. Before the
8 Coopermill Station was built, that was a
9 swamp. It was all water back there. And
10 I've only lived here 20 years, and I've
11 never been back in the last year to see
12 that area. Other people have been here
13 30, 40 years. That water does migrate --
14 must migrate. It can't just stay there.
15 It comes out of the ground in gushers in
16 some places.

17 MS. LORD: So, your question is do we
18 know --

19 MR. FISHER: My question is --

20 MS. LORD: -- the soil
21 contamination --

22 MR. FISHER: Are you aware of the
23 magnitude of water and the course in which
24 it carries, the migratory patterns of it?
25 And the second part of my question is you

1 said that the EPA has no authority to
2 dictate to the township for the builders,
3 which I understand. You also said that
4 you're recommending the cleanup, that
5 they, meaning the builder who would be
6 liable to defer with your approved clean
7 up plan; is that correct?

8 MS. LORD: If they did something that
9 did not go along with our plan:

10 MR. FISHER: If they didn't follow
11 your recommendations on the cleanup?

12 MS. LORD: Right.

13 MR. FISHER: Now, the word "clean
14 up" --

15 MS. LORD: It's not our
16 recommendation -- our decision on the
17 cleanup --

18 (Court reporter informs speakers that
19 only one person may speak at a time.)

20 MR. FISHER: The word "cleanup" does
21 that mean -- and I've heard you say
22 "cleanup" several times, and I've also
23 heard you say take it away. And in
24 reference to taking away, does that mean
25 that you're going to go in there or

1 recommend they go in there, that that
2 entire area is dug out, the land is
3 removed and move from the site.

4 MS. LORD: Which area? The area where
5 they're building?

6 MR. FISHER: Any contaminated area.

7 MS. LORD: That was what my first part
8 of the presentation was. Were you here
9 for the presentation?

10 MR. FISHER: No, I wasn't. I'm
11 sorry. But it's just a simple yes or no
12 question.

13 MS. LORD: Our recommendation is to
14 remove all of the contamination at Quarry
15 3 and take it off site.

16 MR. FISHER: Okay.

17 MS. LORD: And dispose of it properly
18 or recycle it. Then to cover these areas
19 (indicating) and other affected soils with
20 a low-permeability cap --

21 MR. FISHER: Yes. I heard that part
22 about the --

23 MS. LORD: -- to make sure That the
24 surface water and other water doesn't
25 infiltrate down and leach it into the

1 groundwater. So your answer to this area
2 is we did not recommend that these areas
3 be removed. That's the answer to your
4 question.

5 MR. FISHER: Those areas are not
6 recommended to be removed; Quarry 3 is
7 recommended to be removed?

8 MS. LORD: Yes.

9 MR. FISHER: And all contamination in
10 Quarry 3?

11 MS. LORD: Yes. Down to the -- the
12 cleanup level that we specify.

13 MR. FISHER: One final piece to my
14 question: Is the cleanup transportation
15 and movement of all of that material -- is
16 there a -- any basis for a plan as far as
17 the design as to where it's going to be
18 moved and what neighborhood it's going to
19 be moved through?

20 MS. LORD: No, we haven't put that
21 into the cleanup plan. It depends on
22 where the -- the landfill or recycling
23 center that we take it to is located,
24 where we're going to move it through.
25 But I can also say that, you know, there's

1 protocols that go along with moving
2 contaminated soil. It's just not going to
3 be thrown onto a truck so it can fallout
4 into the -- into the air. But that's to
5 be determined in the design.

6 MR. FISHER: And I would like to
7 recommend that you -- when this site comes
8 to that time where it's removed to be
9 cleaned up, that you establish a
10 communication between the neighborhoods
11 that surround it and yourselves that
12 you're going to monitor this for the daily
13 complaints that might happen, that
14 probably will happen.

15 MS. LORD: Yes. We usually put that
16 in our design.

17 MR. HUDSON: We did promise one more.

18 UNIDENTIFIED SPEAKER: Unfortunately,
19 it's multipart. It says in the newsletter
20 that the contract was (inaudible) --

21 (Court reporter informs speaker that
22 they must speak up.)

23 MS. LORD: On the property that they
24 owned?

25 UNIDENTIFIED SPEAKER: Right. Do you

1 know -- it says in the newsletter that the
2 contractor hired by Liberty removed the
3 contaminated underground piping and
4 associated soils. Do you know --

5 MS. LORD: On the property that they
6 owned?

7 UNIDENTIFIED SPEAKER: Right. Do you
8 know where they put it?

9 MS. LORD: Where they disposed of it?

10 UNIDENTIFIED SPEAKER: Yes.

11 MS. LORD: I think part of it is still
12 sitting in the area of the site in drums.
13 But they have to dispose of it properly
14 with our protocols. If they don't, you
15 know, they're held liable for it.

16 UNIDENTIFIED SPEAKER: Can I ask one
17 quick question?

18 MR. HUDSON: Yes.

19 UNIDENTIFIED SPEAKER: Is there an
20 approved repository for those types of
21 contaminants? (Inaudible).

22 (Court reporter informs speaker that
23 they must speak up).

24 UNIDENTIFIED SPEAKER: When it came
25 time to remove it, there was no proper

1 repository in the United States that would
2 take it.

3 MS. LORD: For that -- for that level
4 of soil that we have, yes.

5 UNIDENTIFIED SPEAKER: Is there a --

6 MS. LORD: For there, yeah.

7 UNIDENTIFIED SPEAKER: Secondly, for
8 the coal tars that are there, has there
9 been a remediation plan with other sites?
10 What do we know with the coal tar residue
11 that the gentleman was talking about
12 today? How have you cleaned up other
13 sites that have coal tar like that?

14 MS. LORD: I don't know the answer to
15 that question. I'm not responsible for
16 all of them. But I can get the
17 information for you for you'd like.

18 UNIDENTIFIED SPEAKER: Okay.

19 CLOSING REMARKS

20 MR. HUDSON: Thank you very much for
21 coming. If you do have unanswered
22 concerns, we will try to accommodate them
23 after. Thank you very much.

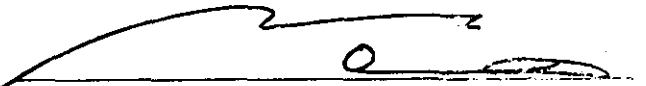
24 (Whereupon, the proceedings concluded
25 at or about 9:07 p.m.)

C E R T I F I C A T E

I, James O. Moyer, III, Court Reporter and Notary Public, do hereby certify that I was present and did stenographically record the Public Hearing to Announce the Environmental Protection Agency's Proposed Remedial Action Plan for the Crater Resources Superfund Site in Upper Merion Township, on Tuesday, June 27, 2000, and, thereafter, the same was transcribed by means of computer-aided transcription under my personal direction, and that this transcript constitutes a true record of the proceedings at said hearing.

DATED THIS 18th day of July 2000.

NOTARIAL SEAL
James O. Moyer III, Notary Public
Sadsbury Twp, Chester County
My commission expires Nov. 3, 2003


James O. Moyer, III
Court Reporter.
Notary Public
Commission Expires: 11/3/03

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